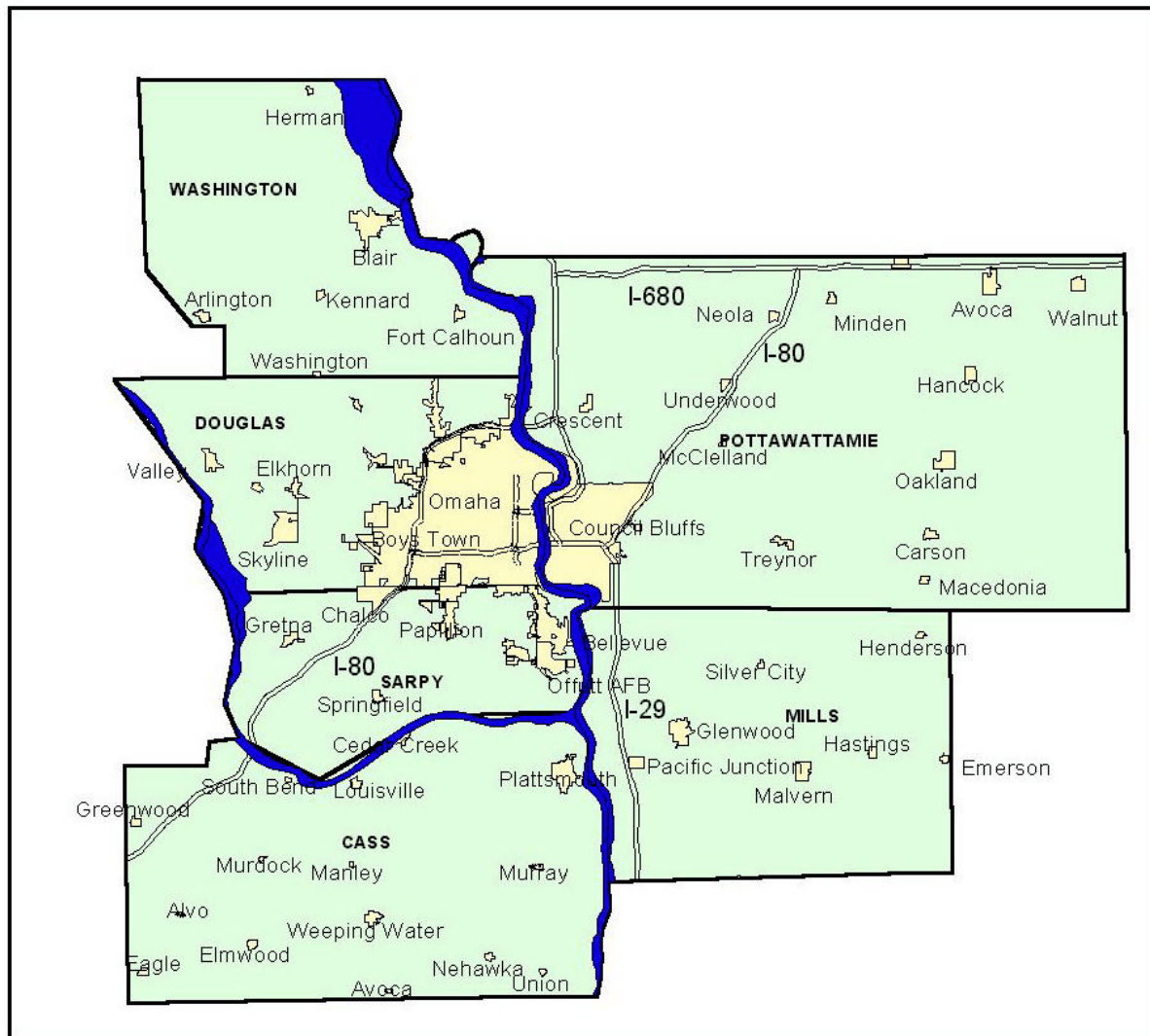
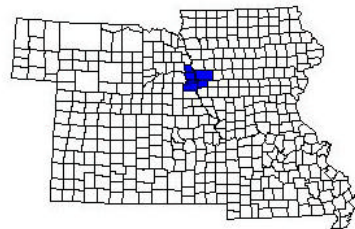


Omaha/Council Bluffs Sub-area Contingency Plan



10 0 10 20 Miles

- Major rivers.shp
- Interstates.shp
- Cities.shp
- Subarea.shp



SPECIAL NOTICE

This public access version of the *Omaha/Council Bluffs Sub-area Contingency Plan* is intended for broad dissemination. This version of the sub-area plan includes the Spill Response Plan in its entirety, except for certain sections that have been omitted due to security concerns. The omitted sections are indicated in the Table of Contents. Questions regarding the omitted sections or other issues related to the plan should be addressed to EPA On-Scene Coordinator Janice Kroone at kroone.janice@epa.gov or they can be sent to Gary Haden, McKinzie Environmental, at ghaden@mckinzieconstruction.com .

DEDICATION

The Omaha/Council Bluffs Sub-area Contingency Plan is dedicated to the memory of Ron Kozel, formerly of the Iowa Department of Natural Resources. Ron believed that the planning process, especially as it pertains to successful integration and cooperation of local, state and federal entities, both public and private, is critical to a successful and safe response to an environmental emergency. Ron was the individual who spearheaded the planning process and guided the development of the plan. Without Ron's continued commitment, dedication, professionalism and enthusiasm toward this effort, this plan could not have been created. Ron Kozel passed away on December 7, 1998. He is missed.

PREAMBLE

Development of the Omaha/Council Bluffs Sub-area Contingency Plan--first published in 1998--and its continued updating are a collaborative effort of three federal agencies, two states, four emergency management agencies, and two local response agencies. The sub-area plan developed by the Omaha/Council Bluffs Sub-area Committee is not intended to supplant any local, state, regional or national response or contingency plans. The plan, however, may be most effective if reviewed in conjunction with the Region 7 Regional Integrated Contingency Plan. It was designed as a tool and source of information for first responders facing the unique physical conditions existing along the Missouri River while working within the various governmental jurisdictions in Mills and Pottawattamie counties, in Iowa, and Cass, Douglas, Sarpy and Washington counties, in Nebraska.

Those who created this sub-area plan intend to update the plan on an annual basis to assure that those who use it have the most current data. More frequent revisions could be undertaken, if developments warrant. Should users or reviewers of this document discover errors or outdated information or wish to suggest additions, they should complete a copy of the Corrections and Updates Form, Page N-1, which is provided after the appendices to this plan, and send it to the address indicated on that form. Changes can also be sent by E-mail at the address on the Corrections and Updates Form.

The latest version of this plan is available at
http://www.epa.gov/Region7/superfund/superfund_r7_integrated_plan.htm on the Internet.

**OMAHA/COUNCIL BLUFFS
SUB-AREA CONTINGENCY PLAN**

TABLE OF CONTENTS

I. INTRODUCTION	I-1
A. Purpose and Objective.....	I-1
B. Statutory Authority	I-1
C. Scope	I-1
D. Updating	I-1
II. RELATIONSHIP TO OTHER CONTINGENCY PLANS	II-1
A. Private Sector Response Plans	II-1
B. Local Response Plans.....	II-2
C. State Response Plans.....	II-2
D. Area and Regional Contingency Plans.....	II-3
E. National Plans	II-3
1. National Oil and Hazardous Substances Pollution Contingency Plan	II-3
2. Federal Response Plan.....	II-3
III. DESCRIPTION OF OMAHA/COUNCIL BLUFFS SUB-AREA	III-1
A. Basis for Metropolitan Governance Approach.....	III-1
B. Geography of Sub-area.....	III-1
C. Sub-area Climate	III-1
Map of Omaha/Council Bluffs Sub-area	III-2
IV. ROLES AND AUTHORITIES OF GOVERNMENT AGENCIES	IV-1
A. Local Governments.....	IV-1
1. Local Responders' Roles and Responsibilities.....	IV-1
2. Role of HazMat Responders	IV-1
3. Roles and Procedures of Local Emergency Management Agencies.....	IV-1
a. Local Emergency Planning Committees.....	IV-1
b. Emergency Management Agencies.....	IV-2
B. States	IV-2
1. The State of Iowa.....	IV-2
a. Iowa Department of Natural Resources.....	IV-2
b. Iowa Department of Transportation	IV-2
2. The State of Nebraska	IV-3
C. Federal.....	IV-3
1. National Response System and Policies	IV-3
2. EPA Region 7 Responsibilities	IV-3
3. USCG Marine Safety Detachment Quad Cities Responsibilities	IV-4
4. Federal On-Scene Coordinator (FOSC) Roles and Responsibilities.....	IV-4
5. Technical Support.....	IV-6
a. Department of the Interior.....	IV-6
b. EPA-Environmental Response Team.....	IV-6
c. National Oceanic and Atmospheric Administration	IV-6

TABLE OF CONTENTS

(continued)

d. National Weather Service	IV-7
e. USCG-Atlantic Strike Team	IV-7
f. USCG-National Strike Force Coordination Center.....	IV-7
D. Multi-Agency Response and Planning Groups	IV-7
1. Regional Response Team and Area Committee.....	IV-7
2. Sub-area Committees	IV-8
E. Natural Resource Trustees.....	IV-8
1. State Trustees	IV-8
a. Role of Iowa Natural Resource Trustees	IV-8
b. Role of Nebraska Natural Resource Trustees.....	IV-9
2. Federal Trustee--U.S. Department of the Interior.....	IV-9
F. Contractors.....	IV-10
V. ROLES OF RESPONSIBLE PARTIES.....	V-1
VI. NOTIFICATION.....	VI-1
A. Protocol	VI-1
B. Notification of Natural Resource Trustees	VI-1
C. Responsibilities for Notifications Under Omaha/Council Bluffs SACP.....	VI-2
1. Local Fire Departments with HazMat Teams	VI-2
2. County Emergency Management Agencies	VI-2
3. State Environmental Agencies	VI-3
4. Federal Response Agencies	VI-4
D. Omaha/Council Bluffs SACP Notifications (Figure 1).....	VI-5
VII. SPILL NOTIFICATION CALL ROSTER	VII-1
A. Local HazMat Responders.....	VII-1
B. County Emergency Management Agencies.....	VII-1
C. State Environmental Agencies	VII-2
D. State Natural Resource Trustees.....	VII-2
E. Federal Response Agencies	VII-2
F. Federal Natural Resource Trustees	VII-3
VIII. O/CB SACP RESPONSE PROTOCOL	VIII-1
A. Incident Command and Jurisdiction	VIII-1
B. Contractor Oversight.....	VIII-1
C. Coordination	VIII-1
D. Public Information.....	VIII-1
E. Termination.....	VIII-1
IX. INCIDENT COMMAND.....	IX-1
A. ICS Implementation Protocol Addressing State and Federal Responders.....	IX-1
1. Single Jurisdictional Area Affected	IX-1
2. Multiple Jurisdictional Area Affected.....	IX-1
3. State, Local, Federal Interaction.....	IX-2
4. Seniority.....	IX-2

TABLE OF CONTENTS

(continued)

5. Post-Emergency Operations.....	IX-2
B. Transition of Command.....	IX-2
1. Unified Command System.....	IX-2
Figure 2: ICS with a Single Incident Commander.....	IX-3
Figure 3: ICS with a Unified Command.....	IX-4
2. Oversight Command	IX-5
Figure 4: ICS with Oversight Command.....	IX-6
3. Federal Preemption	IX-6
X. COMMUNICATIONS PROTOCOL.....	X-1
A. Communications Policy	X-1
B. Communications Systems.....	X-1
1. Telephone.....	X-1
2. Radio Communications	X-2
a. Local Networks.....	X-2
b. State Networks.....	X-2
c. Federal Networks	X-3
d. Volunteer Radio Communications Organizations	X-3
XI. SITE SAFETY PLAN.....	XI-1
XII. DISPOSAL REGULATIONS.....	XII-1
XIII. ACCESS TO OIL SPILL LIABILITY TRUST FUND AND CERCLA	
REIMBURSEMENT.....	XIII-1
A. OSLTF Funding Procedures	XIII-1
B. Federal Access to the OSLTF.....	XIII-1
C. Direct State Access to the OSLTF.....	XIII-1
D. Pollution Removal Funding Authorization.....	XIII-1
E. Claims	XIII-2
F. CERCLA Local Government Reimbursement Program	XIII-3
XIV. OMAHA/COUNCIL BLUFFS WORST-CASE DISCHARGE SCENARIO	XIV-1
A. Scenario 1	XIV-1
B. Scenario 2.....	XIV-1
C. Scenario 3	XIV-1
D. Scenario 4.....	XIV-2
XV. APPENDICES TABLE OF CONTENTS.....	XV-1
A. Acronyms and Abbreviations	A-1
B. Definitions	B-1
C. Local, County and State Law Enforcement Agencies.....	C-1
D. Public Hazardous Materials Teams and Fire Departments.....	D-1
E. Hospitals and Private Ambulances.....	E-1
F. Media Contacts.....	F-1

TABLE OF CONTENTS

(continued)

G. River Conditions, Air and Other Support	G-1
H. Emergency Management Agencies and LEPCS.....	H-1
I. Missouri River Reference Table (Data not currently available. Please see Page ii.)	I-1
J. Missouri River Water Intakes In and Downstream of the O/CB	
Sub-Area (Data not currently available. Please see Page ii.).....	J-1
K. River Traffic and Commodities	K-1
L. Environmentally Sensitive Areas	
And Endangered and Threatened Species.....	L-1
M. Site Safety Plan	M-1
N. Memorandums of Understanding between EPA Regions 5, 6 & 7 Emergency Response	
Programs	N-1
O. Corrections and Updates Form.....	O-1

I. INTRODUCTION

A. Purpose and Objective

The purpose of the Omaha/Council Bluffs Sub-area Contingency Plan (O/CB SACP) is to facilitate a timely and effective cooperative response by representatives of local, state and federal agencies to an oil discharge or release of a hazardous substance in the O/CB sub-area. The objective of this SACP is to coordinate an expedited response to a substantial discharge or threat of a discharge through integrating the actions of the unique combination of private industry and local, state and federal entities that have jurisdiction within the Omaha/Council Bluffs (O/CB) geographic area.

B. Statutory Authority

The SACP is intended as a supplement to the Federal Region 7 Regional Integrated Contingency Plan (RICP). The O/CB SACP was prepared under Section 311(j) of the Clean Water Act (CWA), as amended by the Oil Pollution Act of 1990 (OPA or OPA 90), 33 U.S.C. 1251 et seq. It also is written in conjunction with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300, and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601, as amended.

C. Scope

This Plan applies to Cass, Douglas, Sarpy, and Washington counties in Nebraska and Mills and Pottawattamie counties in Iowa. This plan applies to and is in effect for discharges of oil and/or releases of hazardous substances, as defined in Section 300.3 of the NCP. This O/CB Sub-area Contingency Plan (SACP), when implemented in conjunction with the Region 7 RICP, the NCP and state and local plans, is designed to be adequate to respond to a worst-case discharge (WCD) or a threat of a WCD and to mitigate the effects of any such discharge in the five counties comprised by the sub-area.

D. Updating

The O/CB SACP will be updated on an annual basis, beginning one year after its initial completion, unless changes in relevant regional plans, national plans or actual experience gained during responses to incidents indicate more frequent updates or a one-time revision is desirable. Response equipment, notifications lists, environmentally or economically sensitive area listings and other data prepared by participants in the O/CB SACP process may be updated or incorporated into the plan as they are generated and become available.

II. RELATIONSHIP TO OTHER CONTINGENCY PLANS

A. Private Sector Response Plans

Facility operators are required to prepare or adhere to various plans required by federal and state regulations in an effort to prevent or mitigate releases or discharges to the environment. In an effort to streamline the planning process, the National Response Team's (NRT's) Integrated Contingency Plan (ICP) guidance was published in the Federal Register (F.R. Vol. 61, No. 109, 28642-28664) on June 5, 1996. The purpose of the ICP was to provide a mechanism for consolidating multiple plans, which facilities may have prepared, into one functional emergency response plan. A number of statutes and regulations, administered by several federal agencies, include requirements for emergency response planning. A particular facility may be subject to one or more of the following federal regulations:

- EPA's Oil Pollution Prevention Regulation (SPCC and Facility Response Plan Requirements)-40 CFR part 112.7(d) and 112.20-21
- EPA's Emergency Planning and Community Right-to-know Act [(EPCRA), which is Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III)]
- MMS's Facility Response Plan Regulation-30 CFR part 254
- RSPA's Pipeline Response Plan Regulation-49 CFR part 194
- USCG's Facility Response Plan Regulation-33 CFR part 154 Subpart F
- EPA's Risk Management Programs Regulation-40 CFR part 68
- OSHA's Emergency Action Plan Regulation-29 CFR part 1910.38(a)
- OSHA's Process Safety Standard-29 CFR 1910.119
- OSHA's HAZWOPER Regulation-29 CFR 1910.120
- EPA's Resource Conservation and Recovery Act Contingency Planning Requirements-40 CFR part 264, Subpart D, 40 CFR part 265 Subpart D, and 40 CFR 279.52
- Clean Air Act-40 CFR part 68
- U.S. DOT motor vehicle and rolling stock transportation of oil requirements at 49 CFR 130

Note: The ICP plan guidance has been developed to assist facilities in demonstrating compliance with the existing federal emergency response planning requirements referenced above. Although it does not relieve facilities from their current emergency planning obligations, it has been designed specifically to help meet these obligations. Adherence to the ICP guidance is not required in order to comply with federal regulatory requirements. Facilities are free to continue maintaining multiple plans, in lieu of an ICP, to demonstrate federal regulatory compliance. A brief discussion of facility emergency response plans, specifically those pertaining to the NCP, OPA 90, and CWA, is included below.

Section 300.211 of the NCP describes and cross references the regulations that implement section 311(j)(5) of the CWA. Owners of tank vessels, offshore facilities, and certain onshore facilities are required to prepare and submit Facility Response Plans for responding to a WCD, and to a substantial threat of such a discharge, of oil or a hazardous substance. Facility and tank vessel response plan regulations, including plan requirements, are located in 40 CFR § 112 and 33 CFR § 154, respectively. Prior to approval, facility and vessel response plans shall be reviewed for consistency with any relevant Area Contingency Plan (ACP) or RICP.

As defined in OPA 90, each responsible party (RP) for a vessel or a facility from which oil is discharged, or which poses a substantial threat of a discharge, into or upon the navigable waters or adjoining

shorelines or the Exclusive Economic Zone is liable for the removal costs and damages specified in Section 311(f) of CWA, 33 U.S.C. § 311(f). Any removal activity undertaken by the RP must be consistent with the provisions of the NCP, ACP or RICP and the applicable response plan required by OPA 90. If directed by a Federal On-Scene Coordinator (FOSC) at any time during removal activities, the RP must act accordingly.

Section 311(c)(3)(B) of CWA, 33 U.S.C. § 1321(c)(3)(B) requires that these response plans shall:

"(i) be consistent with the requirements of the NCP, ACP or Integrated Contingency Plans;

(ii) identify the qualified individual having full authority to implement removal actions, and require immediate communication between that individual and the appropriate Federal official and the persons providing personnel and equipment pursuant to clause (iii);

(iii) identify, and ensure by contract or other means approved by the President the availability of private personnel and equipment necessary to remove to the maximum extent practicable a worst case discharge (including a discharge resulting from fire or explosion), and to mitigate or prevent a substantial threat of such a discharge;

(iv) describe the training, equipment testing, periodic unannounced drills, and response actions of persons on the vessel or at the facility, to be carried out under the plan to ensure the safety of the vessel or the facility and to mitigate or prevent the discharge, or substantial threat of a discharge;

(v) be updated periodically; and

(vi) be resubmitted for approval of each significant change."

B. Local Response Plans

Sections 301 and 303 of the Emergency Planning and Community Right-to-know Act [(EPCRA), which is Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III)] provide for the establishment of local emergency planning committees (LEPCs) within districts to facilitate the preparation and implementation of emergency plans.

C. State Response Plans

Sections 301 and 302 of the EPCRA provide for the establishment of a State Emergency Response Commission (SERC) for each state and implementation of state emergency plans. State laws also require development of contingency plans. In Iowa, the Iowa Department of Agriculture and Land Stewardship (IDALS) has regulations governing containment for fertilizers and pesticides. In Nebraska, the Nebraska Department of Agriculture has regulations governing the containment of liquid fertilizers and pesticides.

D. Area and Regional Contingency Plans

Section 300.210(b) of the NCP provides for the establishment of Regional Response Teams (RRTs) and sets their role in the implementation of Regional Contingency Plans (RCPs). The NCP, § 300.210(c), provides for the establishment of Area Committees (ACs) and the implementation of ACPs. Region 7 has opted to integrate these requirements through an RICP. The Region 7 Inland Area is the same as the four-state Federal Region 7, and the members of the AC are the same as the RRT. The RICP also incorporates certain elements of the Emergency Support Function #10 - Hazardous Materials of the Federal Response Plan (FRP), which was created under the Robert T. Stafford Disaster Relief and Emergency Act (Public Law 93-288), as amended.

E. National Plans

1. National Oil and Hazardous Substances Pollution Contingency Plan

Section 300.2 of the NCP lists the various Federal statutes that provide for the establishment of a National Response Team (NRT) and the implementation of the NCP. Region 7 has included a portion of the NCP as an appendix to its RICP.

2. Federal Response Plan

Certain elements of the Emergency Support Function #10 - Hazardous Materials (ESF-10) Annex of the Federal Response Plan (FRP), which was created under the Robert T. Stafford Disaster Relief and Emergency Act (Public Law 93-288), as amended, have been incorporated into the Region 7 RICP. Responses to natural disasters are carried out under the FRP, with the EPA being responsible for cleanup of oil and hazardous substances in its role as lead agency for ESF-10. The Federal Emergency Management Agency (FEMA) serves as lead agency for responses under the FRP.

III. DESCRIPTION OF THE OMAHA/COUNCIL BLUFFS SUB-AREA

A. Basis for Metropolitan Governance Approach

The sub-area plan represents a collaborative approach to coordinate responses by all levels of government. OPA 90 required that the federal government establish ACPs throughout the United States in order to provide more coordinated, efficient, and thorough responses by local, state and federal agencies to the releases of oil. The NCP incorporated hazardous substances into this process, because of the advantages of utilizing a single plan for spills of all types of hazardous materials. EPA Region 7 determined to create only one ACP, with its geography coincident with the four states of Region 7. The RRT, whose members also serve on the AC, later decided to consolidate the RCP, the ACP and applicable elements of the FRP into an RICP. The AC determined to create several sub-area plans within Region 7 because of a perceived need to upgrade the quality and quantity of planning information available. Emphasis has focused on areas where multiple governmental jurisdictions are involved and areas with special environmental or economic qualities. Those initially included the metropolitan areas of O/CB, the Quad Cities, and St. Louis. More recently SACP creation has commenced on the Platte River and on the Missouri River between Yankton, S.D. and Omaha/Council Bluffs.

The metropolitan areas were selected because in each case at least two large cities are separated by a major river, which is a shared resource, requiring joint stewardship and coordination among local municipalities, two states, and in the case of the Quad Cities and St. Louis, two federal regions. Releases of oil or hazardous materials into the rivers may impact multiple jurisdictions and necessitate prompt notifications and coordinated responses.

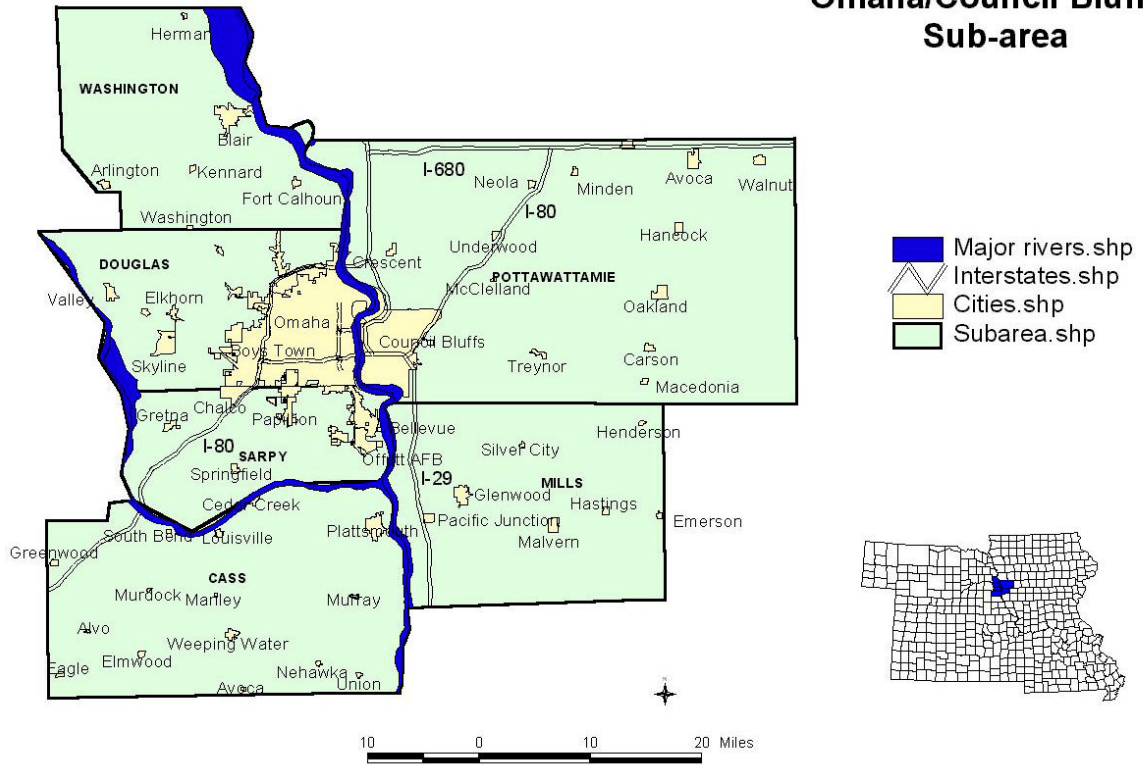
B. Geography of Sub-area

The O/CB Sub-area and the Omaha Metropolitan Area coincide: both include the same four counties in Nebraska and Mills and Pottawattamie counties in Iowa. The Omaha Metro Area is at the intersection of Interstates 29 and 80, while the Missouri River separates Iowa from Nebraska. In 1996, the five-county metro area, which covers 2,467 square miles, had a population of 681,698, with 354,263 of those living in Omaha. Pottawattamie County has 84,939 residents and Mills County had 14,547. More than 1 million live within a 50-mile radius of Omaha, the 48th largest city in the United States; the metropolitan statistical area is the 61st largest. The Port of Omaha serves the Missouri River basin, while Omaha is a center of operations for both the Union Pacific and Burlington Northern railroads. The Platte River forms the western boundary of Douglas and Cass counties and separates Cass and Sarpy counties. La Platte lies upstream of the confluence of the two rivers on the north side of the Platte and Plattsmouth is downstream on the west side. Schilling Wildlife Management Area also is below the confluence. (See Page III-2 for a map of the sub-area.)

C. Sub-area Climate

Located on the Plains at 977 feet, Omaha has a continental climate with warm summers and cold dry winters. Precipitation is highest in April through September and totals 30 inches. The annual snowfall is 32 inches. January is the coldest month, with an average high of 31.1 degrees and an average low of 12.7 degrees. July is the hottest month, with an average high of 87.9 degrees and average low of 67 degrees.

Omaha/Council Bluffs Sub-area



IV. ROLES AND AUTHORITIES OF GOVERNMENT AGENCIES

A. Local Governments

1. Local Responders' Roles and Responsibilities

During any fire or an incident involving a discharge of oil or release of hazardous substances, the local fire department with jurisdiction will respond and will provide an incident commander (IC) as the response is undertaken. The fire department will continue to provide an IC while threats to life and human safety issues dominate the situation. The local police department will normally be responsible for traffic and crowd control on public property, while municipal public works departments will provide assistance in the event it is necessary to divert or prevent the flow of contaminated materials through the storm water or sewer system. After any notifications of neighboring jurisdictions have been completed, following the guidelines in Section VI A., the IC might decide to notify state agencies, because of a need for special expertise, because the incident threatens to extend impacts beyond the local jurisdiction, or because hazardous wastes might be generated. If a Responsible Party is identified and involved, the fire department commander, state and federal on-scene coordinators and the RP may establish a Unified Command System to address the situation (See Section IX B. 1.)

2. Role of HazMat Responders

In Iowa, the Council Bluffs Fire Department has a specially trained Hazardous Materials (HazMat) response team capable of immediate response to a HazMat incident. In Nebraska, the cities of Omaha and Bellevue have similar capabilities through HazMat teams within their fire departments. Offutt Air Force Base also has a HazMat team. All of the adjacent fire departments are available to support each other and in most cases other nearby jurisdictions are also supported. The HazMat teams, while providing special support, will not assume incident command for events outside their respective jurisdiction. They will instead report to the IC or the operations officer on scene. The response teams do not perform remedial cleanup associated with HazMat incidents.

3. Roles and Procedures of Local Emergency Management Agencies

a. Local Emergency Planning Committees

Local Emergency Planning districts were set up as a result of SARA Title III. Local Emergency Planning Committees (LEPCs) include representatives from local governmental agencies, emergency responders, environmental groups, and local industry. LEPCs coordinate emergency response plans of the local units of government within the respective districts. There may be several local emergency plans within each district. The Local Emergency Response Plan, developed under Sections 301-303 of EPCRA, must include the identity and locations of hazardous materials, procedures for responding to a chemical accident, procedures for notifying the public of necessary actions, the names of coordinators within any involved or threatened industrial plants, and schedules for testing the plan. The local emergency response plan must be reviewed by a State Emergency Response Commission (SERC). RRTs may review the plans and provide assistance, if the SERC or LEPC, through the State RRT representative, requests such a review.

b. Emergency Management Agencies

If an incident produces or threatens to escalate into an emergency that could affect large numbers of people or the off-site environment in their respective cities, or otherwise appears beyond the capacity of the local responders, one or more of the Emergency Management Agencies (EMAs) of the five counties may become involved. The county EMAs may utilize their General (All-hazards) plan along with portions of their Local Emergency Response Plan. If an incident represents or threatens an emergency, EMAs may activate their respective Emergency Operations Center (EOC), initiate an evacuation, or take other steps to protect human health and the environment. Volunteers will be called into an EOC to assist with temporary housing or other outgrowths of an emergency.

B. States

Under the NCP, 40 CFR § 300.180, governors are: *asked to assign an office or agency to represent the state on the RRT. The state's representative may participate fully in all facets of RRT activity and shall designate the appropriate element of the state government that would undertake direction of state managed oil or hazardous substance releases. Each state RRT member also represents and coordinates the involvement of various other state, county, and municipal organizations with the RRT.*

1. The State of Iowa

a. Iowa Department of Natural Resources

The Iowa State Department of Natural Resources (IDNR) is the enforcement agency for environmental laws in Iowa. When an incident threatens the public safety, IDNR coordinates requested assistance from state agencies and acts as the liaison to federal officials. Personnel from the Environmental Protection Division are available 24 hours a day to provide regulatory oversight of responsible parties (RPs) and offer technical assistance to responding agencies.

The state's representative to the RRT is a member of the Emergency Response Unit (ERU) in Des Moines. The ERU provides support to field office staff, coordinates supporting state agencies in Des Moines, and acts as liaison to federal officials located outside Iowa. A State On-Scene Coordinator (SOSC) will respond from the IDNR's field office in Atlantic.

An SOSC will respond to the scene after assessing available information and determining whether an on-site response is necessary, or when an SOSC's presence is requested by another local, state or federal agency. The SOSC coordinates the response of state agencies, and acts as liaison to federal officials at the scene of the incident. Requests for disposal of materials following the cleanup of the site should be coordinated through IDNR.

b. Iowa Department of Transportation

The Iowa Department of Transportation (IDOT) has resources typical of highway maintenance activities, such as equipment, sand, rock, etc. Each maintenance garage has a supply of hydrophobic absorbents, including 10-foot booms, 4-foot socks and pads. In addition to those materials, the garage in Avoca, Iowa has some all-purpose, silica-based absorbents.

There are two methods for acquiring resources from IDOT.

- They are available for use on the Iowa primary highway system and upon request by governmental subdivisions when the Department receives remuneration for the resource. Request for these resources should be made to:

Steve Mefford, Area Maintenance Manager

Office 712-366-4642

Residence 712-644-3112

Cellular 712-520-0050

- To acquire resources for uses in other situations, the Iowa's Division of Emergency Management must be contacted. Requests shall be made through the affected county's Emergency Coordinator. If the request is for resources to be used in Nebraska, it should be made to the Iowa Division of Emergency Management. Requests of this nature shall be made by personnel from the Nebraska Emergency Management Agency.

2. The State of Nebraska

The Nebraska Department of Environmental Quality (NDEQ) coordinates state responses to spills. A member of this department is the RRT representative. A staff member of this department will serve as the (SOSC). Agency personnel are available 24 hours a day.

C. Federal

1. National Response System and Policies

The NCP, § 300.105, describes the general organizational concepts of the federal agencies, the NRT, the RRT, the FOSC, and the Area Committees. Sections 300.110 and 300.115 detail the structure of the NRT and the RRT. The NCP provides for an RRT whose agency membership would parallel that of the NRT, and the inclusion of state and local representation.

2. EPA Region 7 Responsibilities

EPA Region 7, Kansas City, Kansas, will provide an FOSC for investigating and responding to releases in the O/CB sub-area, unless the spills originate from a commercial vessel, a vessel transfer operation, or a marine-transportation related facility, in which case the USCG is predesignated to provide an FOSC. EPA will notify the IDNR or NDEQ, which have responsibility for notifying operators of downstream water intakes, of any releases that may impact their operations.

EPA Region 7 has separate Memorandums of Understanding (MOUs) in place with EPA Regions 5 and 6. The purpose of the MOUs is to establish procedures for a general working agreement among the three region's Emergency Response Programs to provide for an inter-regional backup system that can assist

other regions in the event of an emergency response where regions have exhausted their resources and require the assistance of other regions. See Appendix N for copies of these MOUs.

3. USCG Marine Safety Detachment Quad Cities Responsibilities

Under a Memorandum of Understanding (MOU) between the EPA and the USCG signed March 13, 1993, the USCG will assist the predesignated EPA OSC to the fullest extent possible consistent with agency responsibilities and authorities. If an incident involves a commercial vessel, a vessel transfer operation, or a marine-transportation related facility, the USCG Captain of the Port (COTP) will provide the OSC and will carry out all of the FOSC's responsibilities, including the decision to direct any necessary removal activity or access the Oil Spill Liability Trust Fund (OSLTF). If an incident originates from another, or an unknown, source, the USCG will assist the EPA/OSC to the fullest extent possible within the NCP or the RICP. Upon the request of the predesignated EPA/OSC, the COTP may act upon the FOSC's behalf.

4. Federal On-scene Coordinator (FOSC)

The FOSC may direct response efforts and coordinate all other efforts at the scene of a discharge or release in accordance with the NCP, RICP, any applicable sub-area, state and local plans. FOSCs shall be predesignated by the EPA Region 7 Regional Administrator or the USCG 8th District, per EPA/USCG MOU. [The Department of Defense (DOD) and the Department of Energy (DOE) shall designate an FOSC, as stated in the NCP § 300.120 (c) and (d), should their facilities or properties be involved in a discharge or release. Other federal agencies are responsible for non-emergency removals, as stated in the NCP § 300.120 (c)(2).]

The FOSC will coordinate all federal containment, removal and disposal efforts and direct all federal resources during an incident. The FOSC is the point of contact between federal resources and the Responsible Party (RP) and the state and local response community. The FOSC will work within an established IC structure or coordinate all agencies/parties into a UCS. In some circumstances, the FOSC may direct the response activities of other parties in accordance with the NCP. In extreme circumstances, when it is evident that the RP is unwilling or unable to respond adequately to a spill or release, the FOSC can assume full authority of the cleanup, including funding through Superfund or the OSLTF (i.e., to "federalize" the response). In such instances, notice will be provided to the RP in writing. In such circumstances, efforts will be made to recover costs from the RP. The Region 7 RRT can be convened to provide guidance to the FOSC and coordination during a major event.

From a practical standpoint, such tasks as air-monitoring during a discharge or release - possibly one with an associated fire - can be provided by an FOSC who is responding with contractors from the Superfund Technical Assessment and Response Team (START) during the emergency phase of an incident. Such actions would be conducted within an Incident Command System (ICS) or UCS, with transfer of command responsibilities to an OSC of the affected state or to the FOSC during the incident's cleanup and recovery phase.

The FOSC, to the extent practicable, should ensure that persons designated to act as their on-scene representative are adequately trained and prepared to carry out actions under the NCP and the Region 7 RICP.

The FOSC's response priorities, under §300.320 of the NCP:

(a) When the OSC receives a report of a discharge, actions normally should be taken in the following sequence:

(1) Investigate the report to determine pertinent information such as the threat posed to public health or welfare of the United States or the environment, the type and quantity of polluting material, and the source of the discharge.

(2) Officially classify the size (i.e., minor, medium, major) and type (i.e., substantial threat to the public health or welfare of the United States, worst-case discharge) of the discharge and determine the course of action to be followed to ensure effective and immediate removal, mitigation, or prevention of the discharge. Some discharges that are classified as a substantial threat to the public health or welfare of the United States may be further classified as a spill of national significance by the Administrator of EPA or the Commandant of the USCG. The appropriate course of action may be prescribed in §§ 300.322, 300.323, and 300.324.

(i) When the reported discharge is an actual or potential major discharge, the OSC shall immediately notify the RRT and the NRC.

(ii) When the investigation shows that an actual or potential medium discharge exists, the OSC shall recommend activation of the RRT, if appropriate.

(iii) When the investigation shows that an actual or potential minor discharge exists, the OSC shall monitor the situation to ensure that proper removal action is being taken.

(3) If the OSC determines that effective and immediate removal, mitigation, or prevention of a discharge can be achieved by private party efforts, and where the discharge does not pose a substantial threat to the public health or welfare of the United States, determine whether the responsible party or other person is properly carrying out removal. Removal is being done properly when:

(i) The responsible party is applying the resources called for in its response plan to effectively and immediately remove, minimize, or mitigate threat(s) to public health and welfare and the environment; and

(ii) The removal efforts are in accordance with applicable regulations, including the NCP. Even if the OSC supplements responsible party resources with government resources, the spill response will not be considered improper, unless specifically determined by the OSC.

(4) Where appropriate, determine whether a state or political subdivision thereof has the capability to carry out any or all removal actions. If so, the OSC may arrange funding to support these actions.

(5) Ensure prompt notification of the trustees of affected natural resources in accordance with the applicable RCP and ACP.

(b) Removal shall be considered complete when so determined by the OSC in consultation with the governor or governors of the affected states. When the OSC considers removal complete,

OSLTF removal funding shall end. This determination shall not preclude additional removal actions under applicable state law.

5. Technical Support

In addition to the support provided the FOSC by the RRT, a variety of technical support is available through telephone contact or actual dispatch of teams to the field. Support agencies and groups available to on-scene coordinators include:

a. Department of Interior

The DOI can provide information concerning lands and resources specifically under DOI jurisdiction, as well as offer technical expertise related to geology, hydrology, minerals, fish and wildlife, cultural resources, and recreation resources. DOI can also provide communications and other equipment in the event of an extended response.

b. EPA-Environmental Response Team

In the event of a continuing release or discharge, an FOSC has access to the EPA Environmental Response Team (ERT), based in Edison, New Jersey, which has expertise in treatment technology, biology, chemistry, hydrology, geology and engineering. The ERT has access to special decontamination equipment and can provide advice on a wide range of diverse issues, such as a multimedia sampling and analysis program; on-site safety, including development and implementation plans; cleanup techniques and priorities; water supply decontamination and protection; application of dispersants; environmental assessment; degree of cleanup required; and disposal of contaminated material. The ERT provides such expertise through Scientific Support Coordinators (SSCs). An SSC may be designated by the FOSC as the principal advisor for scientific issues and communication with the scientific community. This includes coordination of requests for assistance from state and federal agencies.

The ERT also provides both introductory and intermediate level training courses to prepare response personnel. FOSC or RRT requests for ERT support should be made to the EPA representative on the RRT; or the appropriate EPA regional emergency coordinator.

c. National Oceanic and Atmospheric Administration

The National Oceanic and Atmospheric Administration (NOAA), under the Department of Commerce, may provide information in a number of areas. Like the ERT, its SSCs have a wide variety of expertise. NOAA has mathematicians and physicists who can do computer modeling and simulation studies of releases. NOAA also has a research and planning group that can determine resources at risk, and make recommendations on types of techniques for cleanup--and when to use them. The agency can offer an environmental science group that can provide technical assistance on chemistry, gas chromatography/mass spectrometry fingerprinting, and degradation of oil. The organization includes a biological assessment group that can perform long-term studies and planning. Finally, NOAA possesses an information management group that can produce computerized maps.

d. National Weather Service

The National Weather Service (NWS), a federal organization within NOAA, can provide various support to an incident commander in the Omaha/Council Bluffs area through its office in Valley, Nebraska. The Valley, Nebraska office is responsible for weather information in 30 counties in eastern Nebraska and eight counties in southwestern Iowa, including all of the O/CB Sub-area. In the event of a major release or discharge, an incident commander can contact the NWS office in Valley, Nebraska by calling 1-800-452-9074. The incident commander will be provided with a direct unlisted number to the lead forecaster's desk, through which continuous information on wind speeds, temperatures and other atmospheric data can be obtained.

In addition, the NWS has an MOU with both the Nebraska Emergency Management Agency and the Iowa Department of Public Defense. Under those MOUs, the state emergency management agencies can contact the NWS, which will immediately notify commercial radio systems through the Emergency Alert System (EAS), so that they can broadcast messages advising the public to evacuate, commence sheltering in place or to take other actions to protect themselves from plumes of hazardous substances or other dangerous conditions.

e. USCG-Atlantic Strike Team

The Atlantic Strike Team, telephone number, 609-724-0008, provides trained personnel and specialized equipment to assist the FOSC in training for spill response, stabilizing and containing the spill, and in monitoring or directing the response actions of the RPs and/or contractors. A call to any one of the USCG's Strike Teams will be answered 24 hours a day. In the event the Strike Force contacted is committed, another Strike Team will be accessed.

f. USCG-National Strike Force Coordination Center

The National Strike Force Coordination Center (NSFCC), telephone number, 252-331-6000, is authorized as the National Response Unit required under OPA, and has responsibilities that include administering the USCG Strike Teams, maintaining response equipment inventories and logistical networks, and conducting a national exercise program. The NSFCC can provide the following support to the FOSC: technical assistance and equipment for spill response, assistance in coordinating resources in support of the FOSC during an oil discharge response, ACP or RICP review, coordination of spill response resources information, coordination of pollution response exercises, and inspection of district response equipment.

D. Multi-Agency Response and Planning Groups

1. Regional Response Team and Area Committee

The RRT's origin and reference to the NCP are briefly discussed in paragraphs II. C. and IV C. 1. b. of this SACP. The role of the RRT has two principal components. The first component is the standing team whose duties are communications systems and procedures, planning, coordination, training, evaluation, preparedness, and related matters on a region-wide basis. The RRT also may also assemble an incident-specific team, as determined by the operational requirements of the response to a specific discharge or release. The RRT has responsibility for developing an RCP and for assisting the FOSC in the event guidance, coordination or resources are needed to provide an adequate response to an incident. The RRT includes a representative from each state within the federal region and representatives from virtually any federal agency that could provide assistance or resources during such a response. EPA and the USCG co-chair the RRT, which does not respond directly to the scene, but instead responds to developments and

requests from the FOSC in accordance with relevant contingency plans. In addition, members of the RRT serve as the AC, which has the responsibility to produce ACPs within its respective area. Within Region 7, the area and the region are coincident. Generally, the AC is more planning oriented and aims to be more inclusive of industry and other nongovernmental entities as it plans. The RRT is more response oriented. Semiannual meetings of the Region 7 AC and RRT are held in the spring and fall of each year.

2. Sub-area Committees

The O/CB Sub-area Executive Committee was formed and functions under the authority granted by the Region 7 Regional Administrator, RRT and AC. The O/CB sub-area committee is composed of an EPA OSC from Region 7, a USCG officer, one representative from the IDNR, one representative from NDEQ, and one representative from each Emergency Management Agency within the boundaries of the sub-area; and representatives of local fire departments.

E. Natural Resource Trustees

Pursuant to 33 U.S.C. § 2706(b), the governor of each state shall designate state and local officials who may act on behalf of the public as trustees for natural resources and shall notify the President of the designation. CERCLA and OPA require the designation of certain federal, state or Indian tribal officials to act on behalf of the public as trustees of natural resources that they manage or protect. CERCLA, § 101(16) defines natural resources as land, fish, wildlife, biota, air, water, ground water, drinking water supplies, and other such resources belonging to, managed by, held in trust by, appertaining to, or otherwise controlled by the United States, any state or local government or Indian tribe.

1. State Trustees

The director of IDNR has been designated as the Natural Resources Trustee for Iowa, while in Nebraska the director of NDEQ serves as the Natural Resources Trustee.

a. Role of Iowa Natural Resource Trustees

During an environmental emergency, an SOSC from IDNR will act on behalf of the director. The SOSC will coordinate the response of the divisions within IDNR to prioritize and protect natural resources, assess any damages, and arrange for remediation and recovery. This includes all natural resources not owned or directly managed by federal trustees. The SOSC will be a member of the Environmental Protection Division.

The SOSC will seek the advice and assistance of representatives of the Forests and Forestry Division; the Parks, Recreation, and Preserves Division; and the Fish and Wildlife Division. Members of these divisions can provide information regarding environmentally sensitive areas (ESAs) and endangered species. They can also assist in establishing priorities for protecting threatened resources.

Any actions to prevent or correct damage to areas directly managed by local, state or federal government will be determined and/or approved by the agency managing that area. The SOSC must consult with representatives of the other divisions of IDNR whenever practical, and will follow their recommendations regarding mitigation, sampling and remediation whenever feasible. When an incident threatens the public health and safety, the SOSC has the final authority to determine the appropriate actions.

b. **Role of Nebraska Natural Resource Trustee**

The Director of the Nebraska Department of Environmental Quality has been designated as the Nebraska Natural Resource Trustee for the state. During an environmental emergency, the NDEQ State On-Scene Coordinator (SOSC) will act on behalf of the Director. This individual will coordinate and/or further delegate issues related to the preservation, assessment, remediation, recovery and prioritization of natural resources for which the State of Nebraska is responsible. This includes all land, water and wildlife not directly owned or managed by federal agencies.

In general, the SOSC will be a member of the Department's Emergency Response staff. The SOSC will, when feasible, seek the advice/assistance of various available natural wildlife experts. These include members of the Nebraska "Fish Kill Network" (NDEQ and Nebraska Game & Parks Biologists), local Game & Parks officials as well as representatives of the U.S. Fish & Wildlife Service (USFWS). In addition, the SOSC will provide timely (verbal) reports to the NDEQ Director and/or Deputy Director of the ongoing activities.

It will be necessary to obtain/assess information with regard to ESAs and endangered species. The above-referenced resources can provide this information. In some instances it may be necessary to prioritize which resources will be protected. Again, the above individual agencies can provide this. Where areas and/or resources (i.e. parks, wildlife management areas, fisheries, etc.) are under the direct control of a local, state or federal entity, those organizations will determine, recommend and/or approve actions to prevent and correct damages to that resource.

Biologists from the NDEQ Surface Water Section and/or the Nebraska Game and Parks Commission can provide initial assessments of natural resource damages. In addition, they can determine monetary penalties due to losses of fish and/or other wildlife. Their recommendations as to mitigative measures, sampling, etc. will be followed whenever feasible. However, the ultimate decisions with regard to actions/requirements rest with the SOSC, who must consider all aspects related to the incident, including threats to human health and welfare, relative risks, interruption of commerce, etc.

2. Federal Trustee--U.S. Department of the Interior

Under Executive Order 12580 and Sec. 300.600 (b), the Secretary of the Interior is designated as trustee for natural resources managed and controlled by the Department of the Interior (DOI). The department, through the USFWS, is responsible for management of migratory birds, federally listed endangered and threatened species, and interjurisdictional fishes within the O/CB sub-area. National Wildlife Refuge lands occur in Washington County of the sub-area, and include Boyer Chute National Wildlife Refuge located on the west side of the Missouri River between River Miles 637.8 and 633.6, and DeSoto National Wildlife Refuge located between Missouri River miles 644 and 641. The Boyer Chute National Wildlife Refuge was undergoing a three-phase expansion plan during the preparation phase of the O/CB SACP, which has the potential to extend the boundaries of the refuge upstream and expand the refuge across the river to the Iowa bank for the entire distance on the Nebraska side where the refuge fronts on the Missouri River.

When a spill occurs, USFWS, located in Rock Island, Illinois, or Grand Island, Nebraska, will provide timely advice on the measures necessary to protect wildlife from exposure, as well as the priority and timing of such measures. Protective measures may include preventing the oil from reaching areas where migratory birds and other wildlife are located or deterring birds or other wildlife from entering areas by using wildlife hazing devices or other methods.

If exposure of birds and other wildlife to oil or hazardous substances cannot be prevented, an immediate decision would be required as to whether to rescue and rehabilitate “oiled” birds and other wildlife. The USFWS has statutory responsibilities for protecting migratory birds and federally listed threatened and endangered species. In such cases, the USFWS would serve as the lead, coordinating with other trustees and providing oversight for a qualified wildlife responder. If an incident does not involve migratory birds or federally listed threatened or endangered species, a state natural resource trustee would be the lead. The decision to rescue and rehabilitate oil wildlife must be made in conjunction with the applicable federal (and state) natural resource agencies. Wildlife rehabilitators will need federal (and state) permits to collect, possess and band migratory birds, and threatened and endangered species. Further information is contained in the Fish and Wildlife and Sensitive Environments Annex to the Region 7 RICP.

Following a release or discharge, natural resource trustees may have the additional responsibility of assessing injury to the environment as a result of the spill. Natural Resource Damage Assessment (NRDA) is the process by which trustees collect, compile and evaluate data to determine the extent of injury to natural resources. The information gathered is used to assess damages, including determining the dollar amount necessary to restore injured trust resources and compensate for lost use as a result of injury, and then to seek recovery of those damages from the RP. NRDA's are typically initiated concurrent with response activities.

Initiation of an NRDA (in conjunction with other natural resource trustee agencies) usually involves acquiring data both during and after a spill event to document: 1) evidence of oil or hazardous substances in water, sediments, soil and organisms; 2) effects on fish, wildlife, and/or their habitat; 3) exposure pathways, and 4) the potential need to undertake emergency restoration efforts to prevent or reduce the immediate migration of oil or hazardous substances onto or into a trust resource. Because NRDA activities may be identical to those conducted as part of the response, all sampling and fieldwork conducted by the natural resource trustees should be coordinated with the lead response agency.

F. Contractors

Private contractors fulfill a vast array of roles within the HazMat response field, either on a one-time or long-term basis. Many RP's have contracts with Oil Spill Removal Organizations (OSROs) or with HazMat responders to handle spills that may occur. The RP is responsible for Natural Resource Damage Assessments in conjunction with the natural resource trustees of the respective states, and may retain contractors to conduct such assessments. Region 7 has the START and Emergency Rapid Response Services (ERRS) contracts to facilitate emergency responses and cleanups. Any contractor responding to a spill will answer to the agency providing its funding, unless arrangements for supervision by other agencies are agreed to by all parties.

V. ROLES OF RESPONSIBLE PARTIES

The RP is required under the CWA to immediately report any discharge of oil that will produce a sheen on navigable water, adjoining shorelines, or the contiguous zone, or a release of a hazardous substance exceeding a reportable quantity, as per 40 CFR § 302.4, to the National Response Center (NRC). In addition, the spiller may be required to report these releases under various state and local statutes. OPA 90 §1002 makes RPs responsible for removal costs and damages. (See Section II A. for additional detail and planning requirements.) The RP is expected to cooperate with local public safety agencies during the emergency response phase of an incident. The RP conducts whatever response actions are necessary and for which its personnel are trained and equipped. This can include such activities as turning off valves, plugging or containing leaking containers, and evacuating employees. It may include fire fighting by industrial fire brigades. All of these activities are typically done under the direction of an IC from a local public safety agency.

The EPA or USCG may direct response activities by the RP at a discharge of oil or release of hazardous substances, if it becomes necessary. The FOSC also may “federalize” (see IV. C. 4) a response, if it becomes evident that an adequate response is beyond the capability of the RP, if the RP indicates an unwillingness to accept responsibility, or if the RP’s identity is unknown. A UCS incorporating the command structure of the RP, local responders and state and federal responders may be established to address simultaneous public safety and environmental concerns. The RP has primary responsibility for the cleanup of a discharge or release. The response shall be conducted in accordance with the NCP and the RP’s applicable response plan.

VI. NOTIFICATION

Just as a discharge of oil or a hazardous substances release can emanate from numerous sources, the discovery of a spill and initiation of notification procedures can proceed along a number of paths. As examples, RP's, private citizens or the news media may notify agencies at the local, state or federal level by calling 911, a state spill line, an EPA spill line, or the National Response Center. Depending upon the severity of a spill or discharge, notification may not only be required by statute, but may be essential to protecting human health and the environment. In other instances, notification by and of various agencies may be done as a matter of courtesy. The following sections describe how notifications will be made among those responsible for responding to most releases of oil or hazardous substances in the Sub-area.

A. Protocol

Prompt notification is critical for an effective coordinated response among all organizations that might be involved during an incident. Each organization that first becomes aware of a release of oil or a hazardous substance in Omaha/Council Bluffs area has the responsibility to notify other appropriate and potentially affected agencies. All initial notifications should be by voice telephone, not by facsimile copy. Each organization is to consider itself the first agency aware of a release, if it has not previously been notified of the release according to this protocol. When an agency is notified by another responding organization, it must confirm that other agencies that it is responsible for notifying have been contacted, and then proceed to notify those agencies that have not yet been made aware of the release. The following criteria shall be used in determining whether to make notifications:

1. The release has the potential to affect the jurisdiction of another agency.
2. Assistance might be requested from another agency.
3. Although another agency might not be affected or requested to provide assistance, the agency will be notified out of courtesy when it is likely to receive inquiries about the incident from such other sources as citizens, companies or news media.

An illustration of likely notifications that would be made in the event of a major incident in the O/CB Sub-area is included as Figure 1 on Page VI-4.

B. Notification of Natural Resource Trustees

The appropriate state and/or federal natural resource trustee(s) should be notified in the event of any discharge or release affecting or threatening to affect ESAs, migratory waterfowl or state or federally listed threatened or endangered species. Responsibility for notification will rest with the respective OSC, i.e., SOSCs will notify their state's trustees and FOSCs will notify federal trustees. SOSCs and FOSCs will coordinate notifications affecting state and federal resources. **The FOSC's notification of USFWS will under no circumstances constitute notification of federal natural resource trustees under OPA, CERCLA or the NCP. The FOSC must notify the DOI natural resource trustee representative for the appropriate region, as required by federal regulations.**

C. Responsibilities for Notifications Under Omaha/Council Bluffs SACP

1. Local Fire Departments with HazMat Teams

a. Council Bluffs Fire Department

- Appropriate Nebraska Fire Departments
- Pottawattamie County Communications Center and Emergency Management Agency
- Iowa Department of Natural Resources

b. Omaha Fire Department

- Other Fire Departments,
- Douglas County Emergency Management Agency
- Nebraska Department of Environmental Quality

c. Bellevue Fire Department

- Other Fire Departments,
- Sarpy County Emergency Management Agency
- Nebraska Department of Environmental Quality

d. Other Nebraska Fire Departments

- Other Fire Departments,
- Respective County Emergency Management Agency
- Nebraska Department of Environmental Quality

2. County Emergency Management Agencies

a. Cass County Emergency Agency

- Appropriate Fire Departments
- Appropriate Emergency Management Agencies
- Nebraska Department of Environmental Quality

b. Douglas County Emergency Management

- Appropriate Fire Departments
- Appropriate Emergency Management Agencies
- Nebraska Department of Environmental Quality

c. Sarpy County Emergency Management Agency

- Appropriate Fire Departments
- Appropriate Emergency Management Agencies
- Nebraska Department of Environmental Quality

d. Washington County Emergency Management Agency

- Appropriate Fire Departments
- Appropriate Emergency Management Agencies
- Nebraska Department of Environmental Quality

e. Mills County Emergency Management Agency

- Appropriate Fire Departments
- Appropriate Emergency Management Agencies
- Iowa Department of Natural Resources

f. Pottawattamie County Emergency Management Agency

- Appropriate Fire Departments
- Appropriate Emergency Management Agencies
- Iowa Department of Natural Resources

3. State Environmental Agencies

a. Iowa Department of Natural Resources

- Council Bluffs Fire Department
- Mills County Emergency Management Agency and Communications Center
- Pottawattamie County Communications Center and Emergency Management Agency
- Nebraska Department of Environmental Quality
- Iowa State Natural Resource Trustees
- U.S. Environmental Protection Agency Region 7
- U.S. Coast Guard
- Downstream Water Intakes

b. Nebraska Department of Environmental Quality

- Local fire department/911 center
- Iowa Department of Natural Resources
- Nebraska State Natural Resource Trustees
- U.S. Environmental Protection Agency Region 7
- U.S. Coast Guard
- Downstream Water Intakes

4. Federal Response Agencies

a. U. S. Environmental Protection Agency Region 7

- Iowa Department of Natural Resources
- Nebraska Department of Environmental Quality
- U.S. Coast Guard
- Department of the Interior
- U.S. Fish and Wildlife Service

b. U. S. Coast Guard

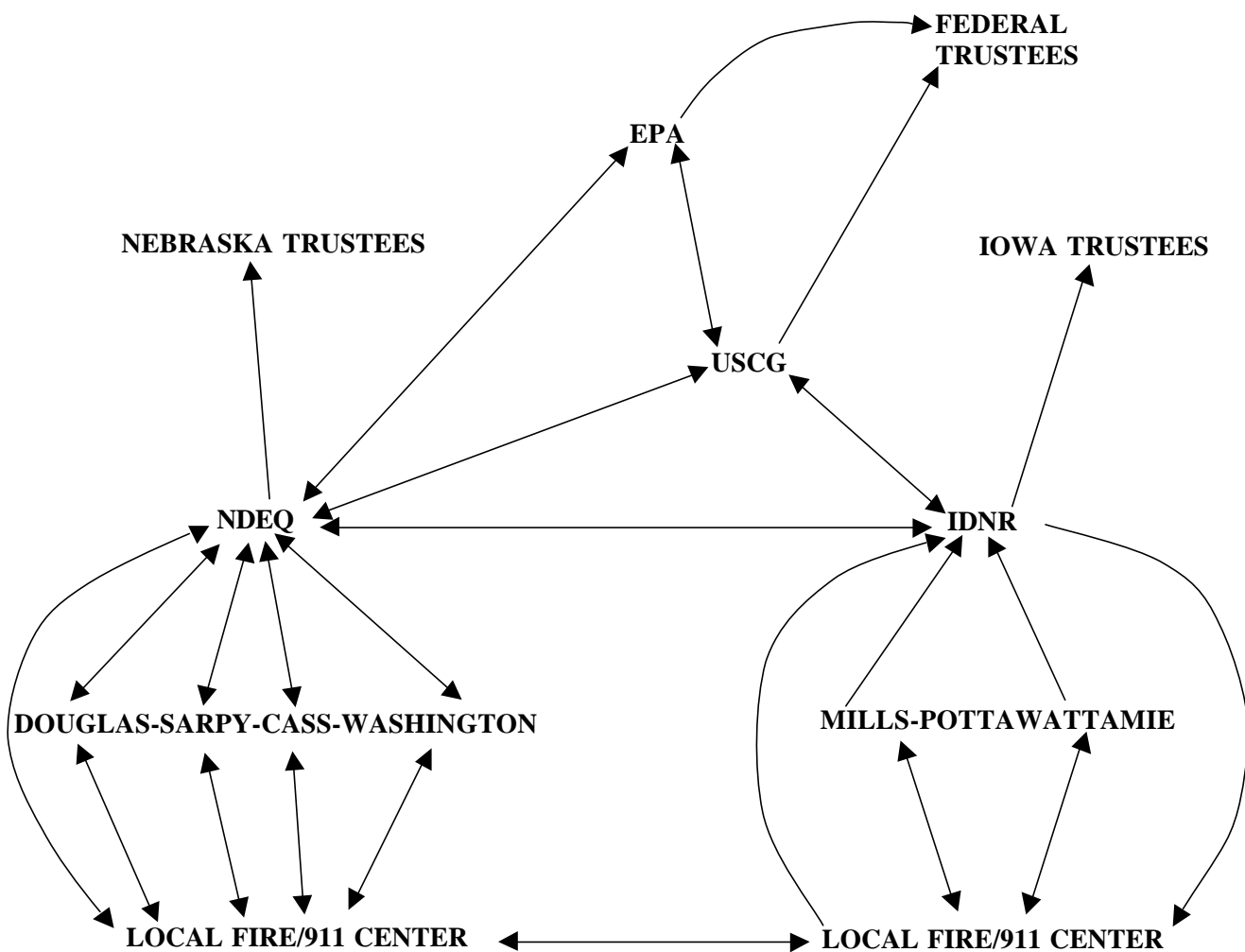
- Iowa Department of Natural Resources
- Nebraska Department of Environmental Quality
- U.S. Environmental Protection Agency Region 7
- Department of Interior
- U.S. Fish and Wildlife Service

D. Omaha/Council Bluffs SACP Notifications

Figure 1 indicates notifications that would be made by each agency, unless it has been determined that the other parties have already been contacted. During any incident during which there is a potential for an impact to a neighboring jurisdiction, the notification protocol in Section VI should be considered. Voice phone and FAX numbers are provided in the Spill Notification Call Roster, Section VII.

Figure 1.

Omaha/Council Bluffs Emergency Response Notifications



An agency-by-agency listing of entities likely to be notified in the event of a major incident in the O/CB Sub-area is included in Section VI, B., starting on Page VI-1. Phone numbers for each agency are included in Section VII, the Spill Notification Call Roster, which begins on Page VII-1.

VII. SPILL NOTIFICATION CALL ROSTER

The call roster includes the telephone numbers for notification and status report purposes. The list includes primary contacts, which are the agencies that would receive first notice of a release that could affect the metropolitan area. The roster includes a 24-hour number for each agency for initial notification of a release, and a FAX number than can be used for updates at the discretion of the responding agencies.

A. Local HazMat Responders:

1. Bellevue Fire Department

24-hour: (402) 593-4111
Administrative: (402) 293-3155 or 3153
FAX: (402) 293-3079

2. Council Bluffs Fire Department

24-hour (and Administrative): (712) 328-4648
Fax: (712) 328-4916

3. Omaha Fire Department

24-hour: (402) 444-5736
Administrative: (402) 444-5700
FAX: (402) 444-6378

B. County Emergency Management Agencies

1. Cass County Emergency Management Agency

24-hour: (402) 296-9370
Administrative: (402) 267-6765
FAX: (402) 267-7945

2. Douglas County Emergency Management Agency

24-hour: (402) 444-5809
Administrative: (402) 444-5040
FAX: (402) 345-2060

3. Mills County Emergency Management Agency

24-hour: (712) 527-4844 or 4871
Administrative: (712) 527-3643
FAX: (712) 527-4962
Pager: 1-800-365-7789 pin: 222048
Cellular: (712) 370-0417
Email: lhurst@millsctyema.org

4. Pottawattamie County Emergency Management Agency

24-hour: (712) 328-5737 or 5738 (911 Communications)
Administrative: (712) 328-5777 or 5778
FAX: (712) 328-4843
Pager: (402) 221-9423
Email: pott.ema@pottcounty.com

5. Sarpy County Emergency Management Agency

24-hour: (402) 593-2310
Administrative: (402) 593-2283
FAX: (402) 593-2319

6. Washington County Emergency Management Agency

24-hour: (402) 426-6866
No FAX

C. State Environmental Agencies

1. Iowa Department of Natural Resources

24-hour: (515) 281-8694
FAX: (515) 725-0218
Pager 1-800-365-7789 PIN: 103680

2. Nebraska Department of Environmental Quality

24-hour: (402) 471-2186 during normal business hours
(402) 471-4545 after normal business hours
FAX: (402) 471-2909

D. State Natural Resource Trustees

1. Iowa Department of Natural Resources

Conservation Officer Doug Clayton	(402) 689-8856 (cellular phone) (Pottawattamie County)
Conservation Officer Andrea Mekus	(402) 689-8854 (cellular phone) (Pottawattamie County)
Conservation Officer Dan Cain	(712) 520-0507 (Mills County)
Atlantic State Radio	(712) 769-2395
IDNR FAX	(515) 725-0218
Pager	1-800-365-7789 PIN: 103680

2. Nebraska Department of Environmental Quality

24-hour: (402) 471-2186 during normal business hours
(402) 471-4545 after normal business hours
FAX: (402) 471-2909

E. Federal Response Agencies

1. U.S. Environmental Protection Agency Region 7

24-hour (913) 281-0991
FAX: (913) 551-7151

2. U.S. Coast Guard

Daytime: (309) 782-0627
24-hour: (319) 524-7511 Option 4
FAX: (309) 782-0604

F. Federal Natural Resource Trustees

1. U.S. Department of the Interior

Office of Environmental Policy and Compliance, Denver

Daytime: (303) 445-2500
24-hour: (800) 759-8888, PIN #1359396

2. U.S. Fish and Wildlife Service

a. Spills in Nebraska

Daytime: (308) 382-6468 ext. 14 (primary); ext. 12 (alternate) (Ecol. Services Office)
FAX: (308) 384-8835

b. Spills in Iowa

Daytime: (309) 793-5800
24-hour (309) 239-0687
FAX: (309) 793-5804

3. Department of Defense (For Incident on Offutt Air Force Base)

Wing Commander for Offutt Air Force:

Daytime: (402) 294-5555
24-hour: (402) 294-4383
FAX: (402) 294-7706

VIII. O/CB SACP RESPONSE PROTOCOL

A. Incident Command and Jurisdiction

The first responding local agency will be responsible for establishing an initial command post and implementing an Incident Command System (ICS). If jurisdiction is unclear, the responding agencies will confer to determine which agency has jurisdiction. Once jurisdiction has been determined, the local agency having jurisdiction will either assume command, or request that a Unified Command System (UCS) be established at the local level.

If jurisdiction is not determined, the initial responding local agency will either maintain command, or request a UCS. When state and federal OSCs arrive at the site, they will confer with the IC. Upon mutual agreement, they will determine whether the state and federal OSCs will integrate into the local ICS, whether the state or federal OSC will take the lead, or whether they will jointly establish a UCS. The lead state agency will be the state from which the lead local agency originates. If the agencies cannot agree on the issue of command, the Federal On-Scene Coordinator (FOSC) has preemptive authority under the National Contingency Plan (NCP).

B. Contractor Oversight

If the responsible party (RP) is capable and willing to respond to the release, governmental officials will work with the RP to mitigate the spill, while maintaining general oversight. If no Potentially Responsible Party (PRP) is identifiable, or an RP is unwilling or incapable of responding, the IC and OSCs will pursue options available to use government funds to clean up the release. If a contractor (See Section IV. F for more discussion) responds to the spill, it will answer to the agency providing its funding, unless arrangements for supervision by other agencies are agreed to by all parties.

C. Coordination

Generally, the responding agencies will function within their normal roles, using their appropriate authorities, expertise, and resources, while working as a team to provide the most efficient response possible. Each local, state and federal lead agency will be responsible for making secondary notifications, and will coordinate the assistance of support agencies at its respective level of government. All major decisions regarding the response to the incident will be made in conference by the local IC and state and federal OSCs, with the RP's representative(s) included, as appropriate.

D. Public Information

The IC may appoint a Public Information Officer (PIO) and designate a media center in order to facilitate communications with the media. Updates will be provided to the media at intervals determined by the IC. All press releases and news conferences will be coordinated with the state and federal OSCs.

E. Termination

When the IC terminates an incident, a notice of termination will be sent to all responding agencies. To the extent it is feasible, the IC and the state and federal OSCs will coordinate their release of reports, along with any additional information that they have obtained from supporting agencies at their respective levels. When appropriate, the lead local, state and federal regulatory agencies should also consider coordinating their efforts to recover costs. The IC and the OSCs will also work together to arrange for a critique of the incident.

IX. INCIDENT COMMAND

A. ICS Implementation Protocol Addressing State and Federal Responders

The senior on-scene official of the first response organization to arrive at an incident involving hazardous substances shall establish an ICS. The ICS should be based on the organization, terminology, and procedures recommended by the National Fire Academy and applied in a broad sense to include all hazard control and mitigation response organizations including RPs, private responders; and local, state, and federal agencies. All such entities participating in a response are required by federal law to implement an intra-organizational ICS and integrate it with the overall ICS (29 CFR 1910.120 or 40 CFR 311).

The ICS established will have as the IC the most senior on-scene official with the expertise, capability and determination to be the commander. The IC can be from a local unit of government or from a county, state or federal agency, as long as he/she has the expertise, capability, determination and authority. This protocol recognizes that typically, but not necessarily, the IC will change as the incident progresses from being primarily a public safety problem, with the local fire chief as IC, to an environmental incident, with a state or federal person as the IC. The following procedures specify a determinate yet flexible means of establishing the role of federal and state responders in an ICS.

1. Single Jurisdictional Area Affected

When the incident involves and affects only a single local geographical jurisdiction, the organizational structure of the ICS will be determined by the established local contingency plan. This may involve single or multiple agency involvement. In all situations, one person shall act as either an IC in sole charge or, when functioning as an Operations Chief, will implement the action plan of a UCS.

In such instances, responding state and federal officials who might otherwise be considered the senior competent emergency response official at the site, shall either:

- Identify themselves to the IC and integrate themselves into the established ICS per the IC's direction, usually as a technical specialist to an operations group supervisor or as an operations group supervisor; or
- Join an existing UCS or request the IC to establish a UCS; or
- Assume the IC role when required by federal or state law, or when an existing IC agrees to such a transition, or when no ICS has been established.

The ICS transfer of command or initial assumption of command protocols shall be used.

2. Multiple Jurisdictional Areas Affected

When the incident involves and affects multiple local geographical jurisdictions or areas not covered by local emergency response organizations, the state or federal competent senior official at the site shall either:

- Preferably join an existing incident or unified command as in VIII A. or

- Establish a command for an encompassing ICS if none exists; or
- Assume incident command and establish an ICS incorporating existing local efforts as operations section branches or otherwise, as appropriate.

3. Local, State, Federal Interaction

When not specifically prescribed, a Unified command consisting of local, state and federal senior competent emergency response officials at the site shall be the preferred approach to integrating several levels of government into an ICS. Where state law specifies incident command assignment, it shall take precedence over this protocol with respect to those state and local organizations to which it applies. Federal jurisdiction specified in CERCLA, OPA, or the respective RCP or RICP shall take precedence over this protocol.

4. Seniority

Seniority, as discussed in 29 CFR 1910.120 (q)(3)(i), is ranked according to competency and breadth of responsibility for purposes of this plan.

Competency will be determined by meeting the requirements of 29 CFR 1910.120 (q)(6)(v). All officials meeting the competency criteria are senior to those who do not, unless specifically charged with overriding authority applicable to the specific incident situation by state or federal law.

Breadth of responsibility will be considered to increase from most local to state to federal. However, this protocol encourages the establishment of the ICS at the most local level practicable to assure the earliest implementation of a unified response strategy.

5. Post-Emergency Operations

This protocol is intended only to apply during the emergency phase of a response to which 29 CFR 1910.120 (q) applies. However, use of an ICS throughout a response and cleanup is encouraged.

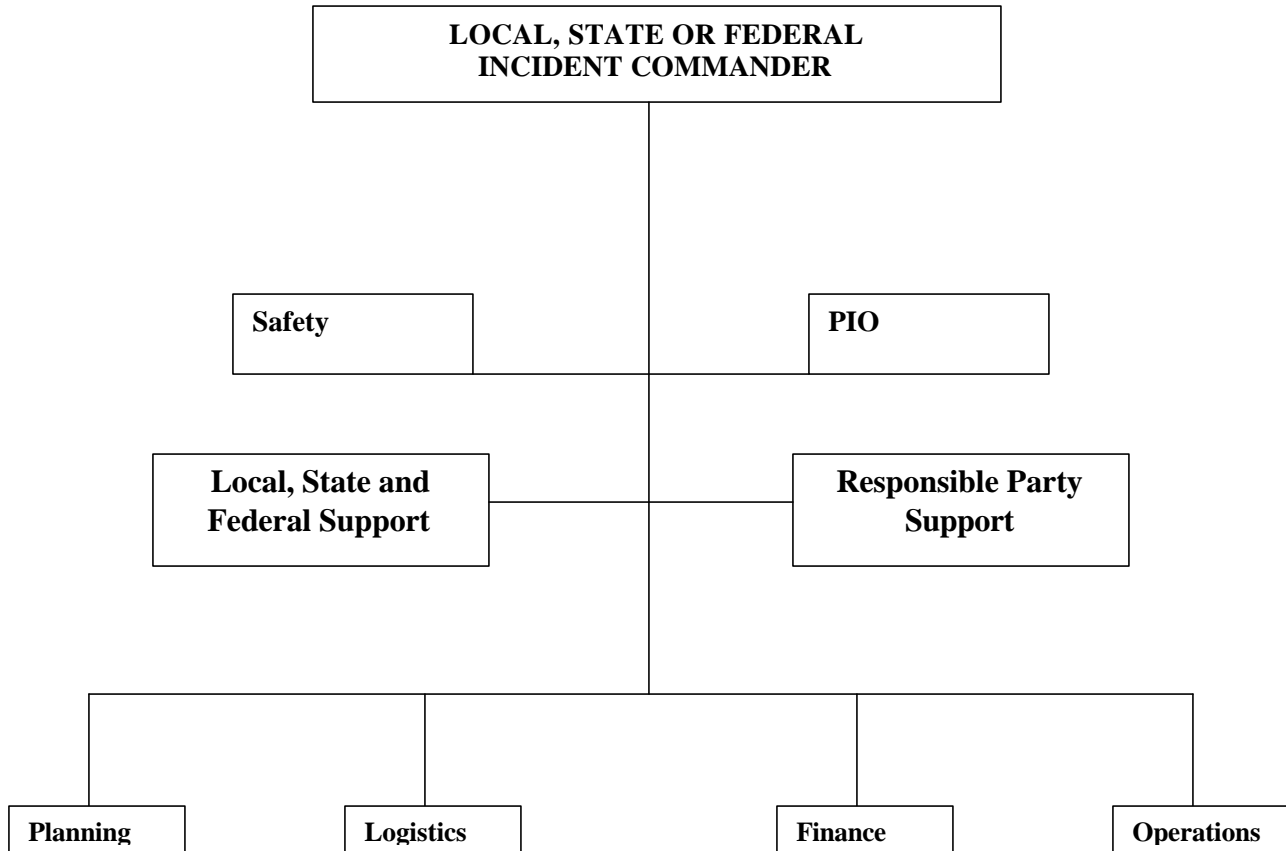
B. Transition of Command

1. Unified Command System (UCS)

Because oil and hazardous materials incidents involve many players and changes through time, it is important that the leadership, responsibilities and roles during a dynamic response action be established. Some responders serve as support players, while others have a command role. Rarely is one person or organization solely responsible for all aspects of a response to an incident involving oil or hazardous materials. An organizational chart reflecting a typical incident command structure is shown in Figure 2.

Figure 2.

INCIDENT COMMAND SYSTEM (ICS) WITH A SINGLE INCIDENT COMMANDER

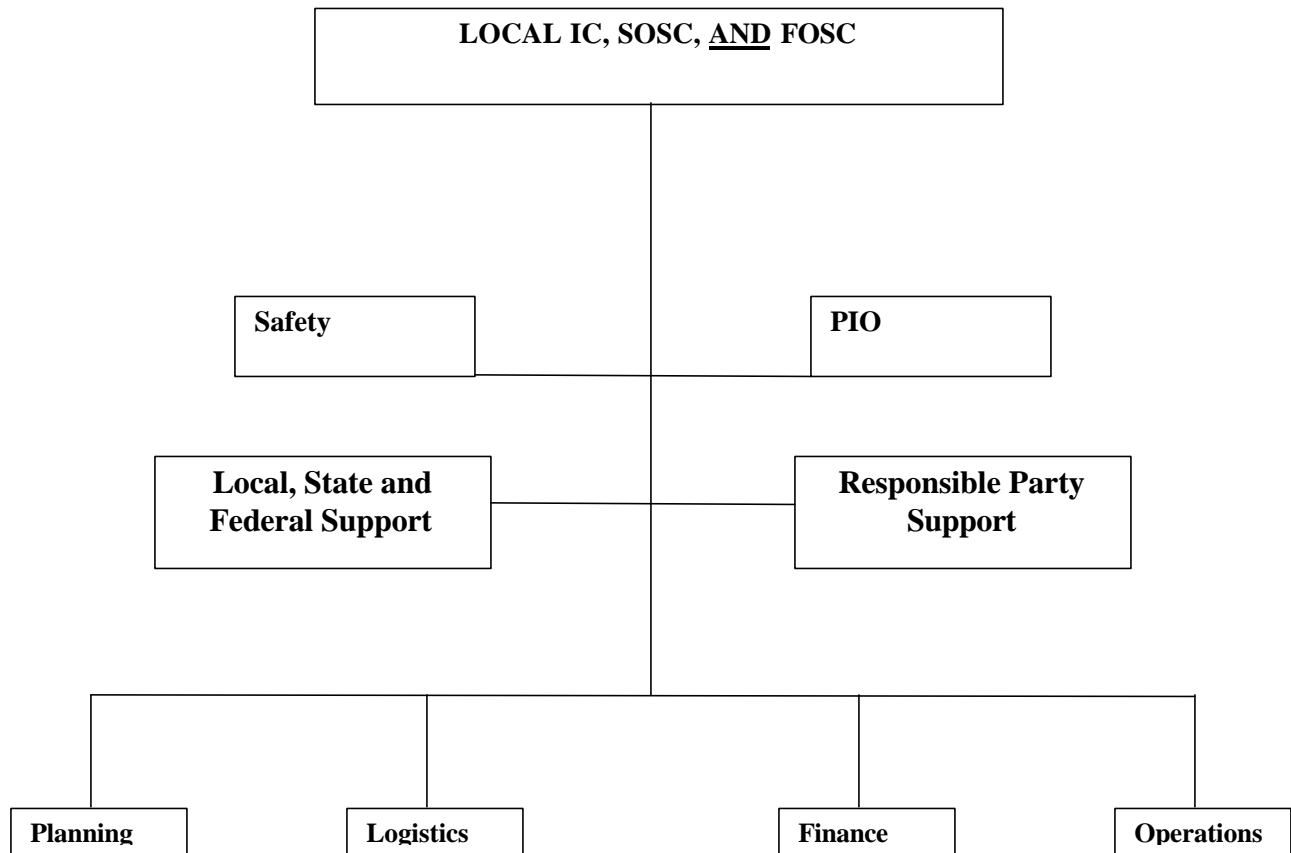


A very large incident involving oil or hazardous substances might include responders from many different organizations, each responding according to its responsibilities and authorities. If the incident affects a wide geographic area, or if several functions need to be performed by agencies with distinctly different capabilities, a transition may occur from a single IC to a UCS. The local IC, or a state or federal OSC, may recommend the formation of a UCS.

Upon agreement, the qualified individuals assume command roles. A UCS is not command by committee, but rather is a mechanism for coordination, cooperation, and communication, under which each party is allowed to operate in its appropriate sphere of command. Each organization shares the same command responsibilities within an ICS. An example of a UCS organizational structure is shown in Figure 3.

Figure 3.

ICS WITH A UNIFIED COMMAND



When a UCS is implemented, the local IC and the state and/or federal OSC(s) meet and take the following measures:

- Agree to act in concert, or at least coordinate efforts
- Agree on objectives, priorities, and strategies
- Recognize each other's authorities, capabilities, limitations, responsibilities, and roles
- Establish lines and methods of communication.

Any influence from a single organization's command typically grows or shrinks as the incident continues, and as the organization's area of responsibility and expertise come into or go out of play. The UCS group may appoint a single person to carry out the command decisions. The rest of the response functions (planning, operations, logistics and finance) usually will also be "unified" by commingling responders of the various organizations.

The UCS and response generally continue until the response is terminated, or the roles of all but one level of government have diminished to the point when the primary level of government provides a single IC.

The transition to a single IC will again be made through the mutual agreement of the members of the UCS. The agency that provides the IC will then be responsible for implementing procedures for termination of the response.

2. Oversight Command

The models for an ICS with a single IC or unified commanders were originally designed to facilitate the coordination and communication within one organization, or among several organizations. Organizations that share a unified command cooperatively respond to an incident as equal partners with different capabilities. A company or person responsible for a spill must plan, propose, organize, and pay for response to the spill. Government's role is to oversee the RP's response, to order changes, if a response is insufficient, and ultimately to approve the adequacy of the RP's response. The integration of the government's regulatory relationship to an RP into the ICS requires the concept of an oversight command.

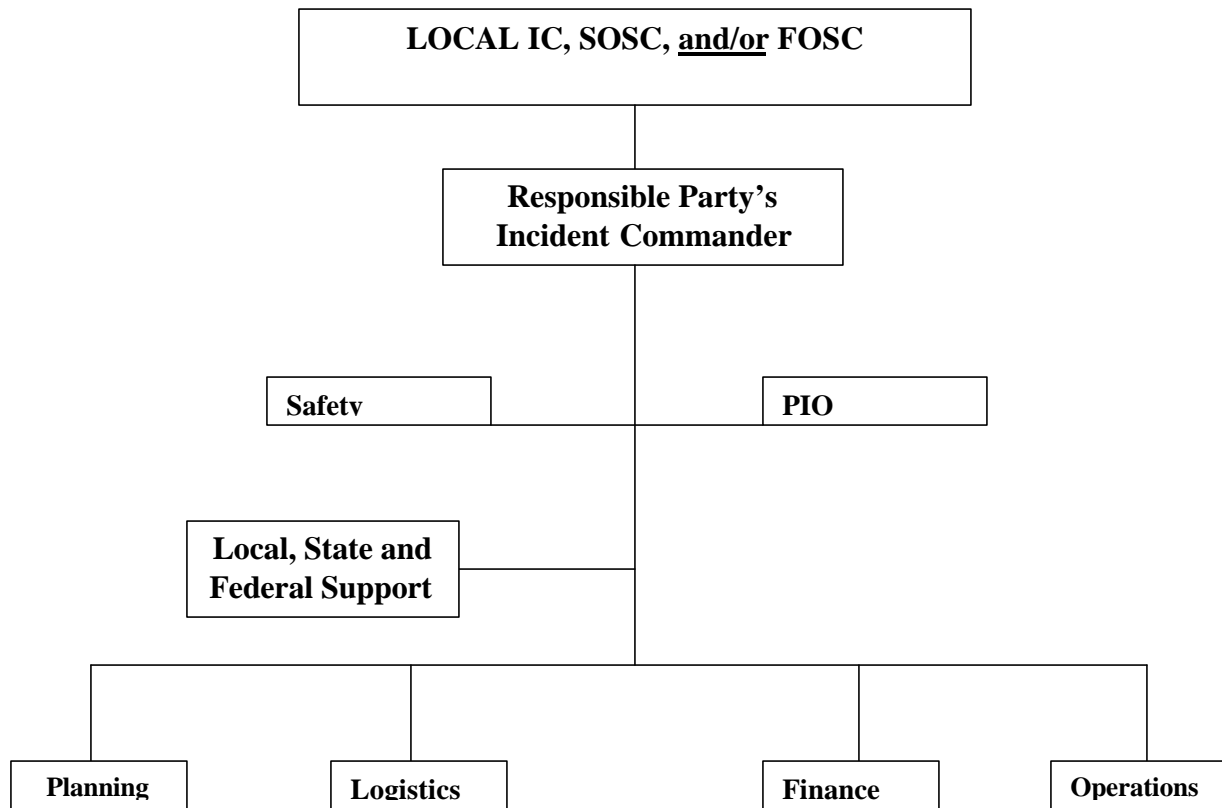
When a responsible party is unable or unwilling to provide an adequate response to a release, or where there is a threat to the public health or safety, the single or unified command systems are implemented by government agencies in the manner described previously. However, when an RP is capable and willing to respond, and the release represents more of a threat to the environment than to the general public, the government agencies will support and oversee the efforts of the RP. The governmental agencies accomplish these tasks by establishing parallel single or unified command systems.

The governments overseeing the RP's response will have a person or persons in charge of that oversight. If more than one government agency is conducting oversight, responders will coordinate that oversight according to the principles of a UCS. Depending upon the circumstances of the incident, the governmental agencies might have contractors assisting the Oversight Commander(s).

The RP's IC and the government's Oversight Commander(s) will meet and agree on cleanup response objectives and priorities. The government's Oversight Commander(s) will typically determine the cleanup target and schedule. The two (or more if a UCS has been established) commanders will meet frequently to update each other on cleanup progress and to revise objectives and schedules. Significant problems identified within the ranks of either the RP's or governmental organizations will be discussed and resolved. Requests for formal approvals for such actions as mitigation, decontamination, and disposal will be made from the RP's IC to the Oversight Commander(s). Figure 4 demonstrates an organizational chart for an oversight command.

Figure 4.

ICS WITH OVERSIGHT COMMAND



3. Federal Preemption

The National Contingency Plan gives an FOSC the authority to direct all response efforts at the scene of a discharge or release. Typically, an FOSC will support the actions of local and state government. Even an FOSC who is part of a UCS might focus federal efforts on a specific part of the response.

In some cases, however, the FOSC might determine that he or she must use preemptive authority to direct all efforts at the scene. Such a determination would be appropriate under the following circumstances:

- A discharge of oil is classified as “major” (over 10,000 gallons).
- A release of a hazardous substances is classified as “major” (a release that poses a substantial threat to public health or welfare of the United States or the environment or results in significant public concern).
- The discharge or release is a “spill of national significance” (a spill that due to its severity, size, location, actual or potential impact on the public health or welfare or the environment, or the necessary response effort, is so complex that it requires extraordinary coordination of federal, state, local and RP resources to contain and clean up the discharge).

- Because of the RP's inability or unwillingness to respond, the FOSC decides to pay for the response with funds from Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) or Oil Pollution Act (OPA) (i.e., to "federalize" the response).
- Actions taken by the RP or local or state responders are inappropriate or ill-advised.
- Lack of cooperation among the RP and local and state responders is impeding a prompt and effective response

An FOSC who decides to direct all response actions must notify the RP's IC, the local government's IC and the state's OSC of these intentions. Such notification ensures that all of the lead organizations are aware of the change of status. An FOSC who exercises this authority becomes the IC for the entire incident and must assure compliance with OSHA's 1910.120 regulations regarding response to releases.

X. COMMUNICATIONS PROTOCOL

A. Communications Policy

The communications procedures and systems described in this Sub-Area Contingency Plan (SACP) are intended to be employed by the ICS/UCS in the event of a discharge of oil or release of hazardous substances involving multiple jurisdictions and various local, state and federal agencies. ICS/UCS will have the latitude to establish and modify communications networks as required, in order to support the unique, composite organization of many response and support elements required to contain any spill.

It will be the incident commander's (IC's) responsibility to immediately establish and maintain effective means of communications that allow all entities involved in the response or otherwise in need of information to have direct access to that information. In order to accurately and consistently convey and receive information (once the scope of the incident is realized) the IC should appoint a Liaison Officer (LO) to coordinate all communications relating to the incident.

The LO should establish a communications function within the ICS by delegating functions to the appropriate personnel, to insure a coordinated transfer of information among local, state and federal agencies. This task should not be left to any 911 Center to perform.

Once established, all communications, including requests for information, are to be routed through the LO. The LO will establish and maintain communication among the involved entities, and should develop the following:

- A list of entities involved in the incident, along with their physical location and a means to contact them (phone numbers, pager numbers, radio frequencies, etc.)
- A method of receiving and distributing updates/situation reports. The establishment of periodic conference calls (such as every hour on the hour) is among the actions that might be used to accomplish this.
- An incident log that documents the involvement of participating entities, how and when information became available, decisions, weather patterns, etc.

No entity involved in the event should release information to the news media without first contacting the public information officer (PIO) and confirming the accuracy of the information.

The EPA and/or the United States Coast Guard will coordinate communications to and from other involved federal agencies. The National Response Center is available to provide teleconference calls during natural disasters and other occasions.

B. Communications Systems

1. Telephone

The primary system for communications during an emergency affecting the O/CB Sub-area is the commercial telephone network, particularly during the initial alert and notifications of response agencies. Telephones, either fixed, cellular or satellite, will be used for point-to-point communications, whenever possible.

Eventually, as the number of entities involved in an incident grows, it might be necessary to establish dedicated telephone links to various parties involved in the command structure. This can be accomplished through contact with local telecommunications providers (Qwest, Aliant, etc.)

2. Radio Communications

a. Local Networks

Telephones are likely to be the only method of communication available to the NDEQ, the Environmental Protection Division of IDNR and the EPA. There is no ability for responders from either Iowa or Nebraska to communicate with federal agencies via radio communication. If telephone communications systems fail, state and federal responders will have to rely on local agencies and their radio systems to communicate with their counterparts in other states.

Each county has an internal radio communications infrastructure (i.e., frequencies to communicate with the sheriff, fire departments, engineer, conservation officer, city police, etc.) In general, the frequencies used by a specific city or county will not interface directly with radio communications of agencies in other counties. Therefore, it might be necessary for various agencies to send a representative, equipped with a radio capable of communicating with their respective personnel, to the location of the incident command, or other location designated by the IC. A central point of communications will need to be established.

Communications among law enforcement agencies across the Missouri River are possible through the Iowa, Nebraska, Missouri Law Enforcement Mutual Aid Channel (155.475 frequency). Within the O/CB Sub-area, local response agencies maintain a radio channel programmed to the Council Bluffs channel as a means of cross-river communications.

b. State Networks

Iowa maintains statewide radio capabilities through several mechanisms. The Iowa Department of Public Safety Communications Center has statewide communications capabilities with all state agency radio networks. The state can establish a forward command post (FCP), with radio communications as the primary means of communications between the FCP and the state's field personnel. State radio capabilities include the Department of Transportation, Iowa State Patrol System, Radio Amateur Civil Emergency Services (RACES) and others.

Several of Nebraska's state agencies maintain statewide radio communications systems. The Nebraska Departments of Roads, Game and Parks, Corrections and the Nebraska Emergency Management Agency (NEMA) each can reach nearly any location in their respective systems within the state through a series of transmitters and repeaters that take advantage of the Low-Band 39.9 frequency. The agencies' statewide systems are not interlinked. The Nebraska State Patrol (NSP), most counties and many other local entities can communicate with one another through the Low-Band 39.9 frequency system, which has set frequencies for law enforcement (39.90), fire departments (39.98) and medicine (39.82). NDEQ is not linked into any of these systems.

Members of the NSP can communicate with each other through their hand-held and car radios. The age and efficiency of both groups of radios varies, with two troopers using hand-held radios being capable of communicating over distances of 2 to 5 miles, while users of car radios might be able to communicate over distances ranging from 20 to 50 miles or farther.

NEMA maintains a mobile command post, commonly referred to as “The Crush”, which can be dispatched to serve as a communications center during a major disaster. The Crush has multiple channels and frequencies, including low band, high band, high frequency and direct communication with aircraft. Consequently, it can “patch” together communications between various agencies.

c. Federal Networks

No day-to-day radio communications system exists between the federal agencies that might respond to an incident. A complete communications system is available through FEMA’s Mobile Emergency Response System (MERS) for major incidents projected to extend beyond 24 hours. The nearest MERS detachment is located at Denton, Texas.

d. Volunteer Radio Communications Organizations

The Omaha/Council Bluffs Metro area has active Amateur Radio Emergency Services (ARES) and Radio Amateur Civil Emergency Services (RACES) organizations with trained radio operators. These operators often bring their own equipment and resources to perform their tasks. Both ARES and RACES train operators to handle emergency communications and have statewide support. They can be called upon to provide backup communications to supplement existing modes of communication in an event or when the normal communications infrastructure has been compromised or is not functioning.

ARES and RACES have established repeaters in the metro area on VHF and UHF bands and have multiple frequencies at their disposal.

Both organizations can be activated by the Emergency Operations Center in their respective area.

XI. SITE SAFETY PLAN

During a major incident involving hazardous substances, several hazardous materials response (HazMat) teams could participate in the response. These teams should consist of personnel trained to at least the technician level, and should be in complete compliance with OSHA's 1910.120 regulations. One of these requirements is the development of a site safety plan (SSP).

HazMat teams that could be present during a response include teams from municipal fire departments, contractors for RP's, states or federal agencies, a United States Coast Guard Strike Team, teams from military bases; and industrial mutual aid teams. Because each of these entities normally develops its own site safety plan, there is potential for conflict or confusion when the various response teams arrive at an incident. To ensure the safety of all responders and effectively implement the response, procedures to coordinate all efforts to develop safety plans for the site are needed.

If a site has a single IC, that commander will appoint a Site Safety Officer (SSO), who will coordinate with the safety officers of all responding HazMat teams. The SSO will ensure compatibility of all of the various site safety plans with the overall SSP, as indicated by the procedures spelled out in detail in Appendix L. If a UCS is in place, the unified commanders will appoint an overall SSO, who will be responsible for completion of an overall SSP.

Any safety officer who disagrees with any portion of the SSP, after working with the SSO, should communicate concerns to the senior official on site for his or her organization. That official should discuss those concerns with the IC or UCS. The IC, or unified commanders, will bring the matter to the attention of the SSO and seek a resolution. The IC, who is ultimately responsible for the safety of everyone on site, has final approval of the SSP.

XII. DISPOSAL REGULATIONS

The following matrix will give an overview of materials disposal requirements for Iowa and Nebraska;

	IOWA	NEBRASKA
<ul style="list-style-type: none"> • Non-Hazardous Debris and Soil 	<ul style="list-style-type: none"> • Must go to permitted Sanitary Landfill • IDNR prior approval required 	<ul style="list-style-type: none"> • Can be disposed of in a municipal solid waste disposal area (Sanitary Landfill) or Construction/demolition disposal area , or used as beneficial fill for land improvement projects
<ul style="list-style-type: none"> • RCRA Hazardous Debris and Soil 	<ul style="list-style-type: none"> • Iowa does not have a RCRA program; consult EPA Region 7 • No RCRA disposal facilities in Iowa 	<ul style="list-style-type: none"> • Must be managed as a hazardous waste in accordance with NDEQ regulation (Title 128)
<ul style="list-style-type: none"> • Open Burning 	<ul style="list-style-type: none"> • Generally prohibited • Variance possible through IDNR 	<ul style="list-style-type: none"> • Generally Prohibited • Variance possible through NDEQ
<ul style="list-style-type: none"> • List of Emergency Response Contractors 	<ul style="list-style-type: none"> • Available from IDNR 	<ul style="list-style-type: none"> • Available from NDEQ
<ul style="list-style-type: none"> • Petroleum-Contaminated Water 	<ul style="list-style-type: none"> • Can discharge to storm or sanitary sewer if below allowable levels with approval from IDNR and city officials 	<ul style="list-style-type: none"> • Can discharge to a storm or sanitary sewer provided notice of intent is submitted to NDEQ prior to discharging and the discharge is below allowable levels • Permission from the local authority is also needed for discharges to sanitary sewers

<ul style="list-style-type: none"> • Land Farming 	<ul style="list-style-type: none"> • Allowed if IDNR criteria followed 	<ul style="list-style-type: none"> • One-time land-farming of special wastes can be done in accordance with NDEQ soils protocol • Repeated land-farming of special wastes of a parcel of land requires a permit from NDEQ
<ul style="list-style-type: none"> • Pesticides and Fertilizers 	<ul style="list-style-type: none"> • Recovered liquids and solids may be applied to agricultural land at normal rates with IDNR approval 	<ul style="list-style-type: none"> • Recovered liquids and solids may be applied to agricultural land at normal rates if consistent with label and MSDS requirements
<ul style="list-style-type: none"> • Petroleum-Contaminated Soils 	<ul style="list-style-type: none"> • Excavated soil may be incinerated at an approved incinerator, land-applied at a permitted sanitary landfill, or land farmed on property with the approval of the owner as long as IDNR criteria are followed 	<ul style="list-style-type: none"> • Can be land applied in accordance with the NDEQ soils protocol or must be disposed of at a sanitary landfill

XIII. ACCESS TO OIL SPILL LIABILITY TRUST FUND (OSLTF) AND COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT (CERCLA) REIMBURSEMENT

A. OSLTF funding Procedures

Local, state, tribal, or federal agencies may get funding for removal costs through, and with the prior approval of the FOSC, or by submitting a claim. Funding will be in accordance with EPA's "Guidance For Use Of The Oil Spill Liability Trust Fund," (OSWER Dir. 9360.8-11) February 1997, and EPA's "Guidance For Use Of Coast Guard Basic Ordering Agreements For Emergency Oil Spill Response Support," February 10, 1997.

B. Federal Access to the OSLTF

To access the OSLTF, the FOSC must open the fund through the Ceiling and Number Assignment Processing System (CANAPS), which automates and centralizes the creation and management of project numbers and ceilings for federally funded response. A six digit case number will be generated and a spending ceiling set. An email confirmation will be sent. After receiving a number and ceiling, the federal agency providing the OSC must contact its contracting officer within 48 hours to issue a delivery order for services under the applicable Basic Ordering Agreement (BOA) or Emergency and Rapid Response Services contract (ERRS).

C. Direct State Access to the OSLTF

In accordance with regulations promulgated under Section 1012(d)(1) of OPA, the President, upon request of the state's governor, may obligate the OSLTF for payment in an amount not to exceed \$250,000 for removal costs consistent with the National Contingency Plan (NCP) that are required for the immediate removal of a discharge, or the mitigation or prevention of a substantial threat of discharge of oil.

State access to the Fund provides an avenue for states to receive federal funds for immediate removal costs resulting from the response to actual or threatened discharges of oil. In making a request to access the OSLTF, the individual making the request must:

- Indicate that the request is a state access request under 33 CFR Part 133
- Provide the name, title, department and state
- Describe the incident in sufficient detail to allow a determination of jurisdiction, including at a minimum: the date of the incident, type of product discharged, estimated quantity of discharge, the navigable water involved, and the proposed removal actions for which the funds are being requested under Part 133, and
- Indicate the amount of funds requested.

Further information is available through the USCG Technical Operating Procedures (TOPS) for State Access Under Section 1012(d)(1) of OPA which can be accessed on-line at:

http://www.uscg.mil/hq/npsc/pdf/URG/URG_5_02.pdf

D. Pollution Removal Funding Authorization

State and local agencies may perform removal actions under the direct supervision of an FOSC. In such situations, the FOSC issues a Pollution Removal Funding Authorization (PRFA) to the requesting agency to establish a contractual relationship and obligate the fund. Under this method, the FOSC is actively directing the state or local agencies response actions. State or local involvement in use of the OSLTF through a PRFA can be accomplished as follows:

- The appropriate agency notifies the EPA of the spill immediately.
- An FOSC travels to the site and discusses with the state or local representative what actions need to be taken and come to agreement and document the specific goods and services to be provided in the form of a scope of work and provide a good faith estimate of the total anticipated costs. A PRFA is prepared by the authorizing federal agency and signed by the FOSC to fund the state actions.
- During the response, the state or local government must document costs and submit them to the FOSC daily for approval. The requesting agency is responsible for payment of invoices incurred by response contractors. The PRFA commits the OSLTF to payment, by reimbursement, of costs incurred in the pollution response activities undertaken by another government agency working for the FOSC.

When the removal is complete, the requesting agency submits cost documentation to the NPFC via the FOSC for reimbursement. Reimbursement is generally done through a single check to the other agency from the U.S. Coast Guard after the cleanup is done.

Additional information on PRFA's can be found in Chapter 10 of the Technical Operation Procedures for Resource Documentation, which can be accessed on-line at:

http://www.uscg.mil/hq/npfc/pdf/URG/URG_3_10.pdf

E. Claims

Section 1012(d)(1) of OPA 90 authorizes the use of the Fund for "the payment of claims in accordance with Section 1013 for uncompensated removal costs determined by the President to be consistent with the NCP for uncompensated damages." States or local government agencies may submit claims for uncompensated removal costs, which may include those salaries, equipment, and administrative costs directly related to a specific incident. The claimant may submit claims for removal costs directly to the Fund, even if the responsible party is unknown. To submit a claim against the OSLTF, the state or local agency must:

- Submit a detailed description of the incident including at a minimum: what type of material was released or potentially released, what navigable water was impacted or potentially impacted, what response actions were taken to prevent, minimize or mitigate the release and were those actions consistent with the NCP.
- Include a detailed summary of the amount spent by the claimant during its response actions and provide backup documentation. The removal costs incurred must have been incurred as a

result of the response actions taken to prevent, minimize, or mitigate the effects of the incident.

- Submit the package to the USCG National Pollution Fund Center (NPFC) for approval. The NPFC will review the claim to ensure the removal costs were reasonable and that actions taken were consistent with the NCP, which may include confirming that the response was an OPA-90 incident.

Additional information on Claims can be found in the NPFC's Claimant Information Guide, which can be accessed on-line at:

http://www.uscg.mil/hq/npfc/pdf/urg/URG_7_02.pdf

F. CERCLA Local Governments Reimbursement Program

Section 123 of CERCLA and Section 1002 (b)(2)(F) of OPA authorize EPA to reimburse local governments for some (and in rare cases possibly all) of the expenses incurred in carrying out temporary emergency measures in response to hazardous substance threats or releases. These measures or operations are necessary to prevent or mitigate injury to human health or the environment.

The intent of this provision is to reduce any significant financial burden that may have been incurred by a city, county, municipality, parish, township, town, federally recognized Native American tribe, or general-purpose unit of government that takes the above measures in response to hazardous substance threats. Traditional local responsibilities, such as routine fire fighting, are not eligible for reimbursement. States are not eligible for this program and may not request reimbursement on their own behalf or on the behalf of a political subdivision within a given state (40 CFR Parts 310.20 and 310.30).

The following criteria must be met before a request for reimbursement is to be considered:

- Response actions were consistent with CERCLA, NCP, EPCRA.
- The request contains assurances that the response does not supplant local funds normally provided for such activities.
- The applicant must have first attempted to recover from all known PRPs and any other possible sources of reimbursement (state funds, insurance companies, etc.). Sixty days must be allowed for the responsible party to respond by making payment, expressing intent to pay, or demonstrating willingness to negotiate payment.

CERCLA limits the amount of reimbursement to \$25,000 per single response. If several agencies or departments are involved in a response, they must determine among themselves which agency will submit the request for reimbursement. Any request must be received by EPA within one year of the date the response was completed.

Some of the allowable costs may include, but are not limited to, the following:

- Disposal materials and supplies acquired and used specifically for the related response.
- Employee compensation for response work that is not provided in the applicant's operating budget.

- Rental or leasing of equipment.
- Replacement costs of equipment contaminated to the extent that it is beyond reuse or repair.
- Decontamination of equipment.
- Special technical services needed for the response, such as those provided by experts or specialists.
- Other special services, such as utilities.
- Laboratory analysis costs related to the response.
- Costs associated with supplies, services and equipment procured for a specific evaluation.

A review panel will evaluate each request and will rank the requests on the basis of financial burden. Financial burden is based on the ratio of eligible response costs to the locality's per capita income adjusted for population. If a request is not reimbursed during the review period for which it is submitted, the EPA's reimbursement official has the discretion to hold the request open for a 1-year reconsideration.

An application package can be obtained by contacting the LGR Helpline: Phone number 1-800-431-9209. The application package contains detailed, line-by-line instructions for completing the application.

XIV. OMAHA/COUNCIL BLUFFS WORST CASE DISCHARGE (WCD) SCENARIO

The O/CB Sub-area has numerous potential spill sources that could discharge large amounts of petroleum or hazardous materials, including highly toxic substances. Several sensitive areas could be affected by such a Worst Case Discharge (WCD). In view of the various threats facing the Metro area, preparation of a single WCD scenario did not seem to adequately address the issue. Rather, a number of potential threat scenarios were developed that responders and emergency managers should prepare to meet. A major release that reaches the Missouri River, either directly or from specific effluent sources, will threaten the human population, businesses and wildlife in the area.

A. Scenario 1

A major release reaches the Missouri River above the Omaha and Council Bluff's drinking water intakes. This would threaten both cities' drinking water as well as businesses, parks and homes along the urbanized portions of the Missouri River. Such a release could occur:

- If one of the major pipelines under the Missouri River area ruptures upstream from the Omaha and Council Bluffs drinking water intakes on the river, or such a pipeline ruptures and product enters the river through storm sewers.
- If a train carrying oil or hazardous materials derailed over the Missouri River or along tracks on the western bank of the Missouri, discharging contamination to the river.
- If one of several large aboveground storage tanks along either side of the river discharged oil into the storm sewer system.
- If a tanker truck carrying oil or hazardous materials were involved in an accident on any bridge over the Elkhorn, Platte or Missouri rivers and discharged its contents.

B. Scenario 2

A large quantity of oil or hazardous substances is released into a storm or sanitary sewer located within the sub-area, posing threats to property, human health and the environment. Such a release could occur, if:

- If a tanker truck, storage tank or train released oil or hazardous substances near a sewer opening. Trucking, storage and railroad activities are carried out in close proximity to sewers throughout the sub-area.
- If a pipeline running near a sewer in the sub-area ruptured near a sewer conduit.

C. Scenario 3

A large-capacity (e.g., 500,000 gallons or more) aboveground storage tank near the Missouri River releases a large quantity of petroleum and threatens property, human health and the environment. A release could occur from such sources as:

- AMOCO, Williams Pipeline, Warren Distribution, etc.

- Storage of oil and hazardous substances occurs on both sides of the Missouri River in the sub-area.

D. Scenario 4

A major fire involving oil occurs in the sub-area, threatening property, human health and the environment. Such a fire could occur:

- Anywhere in the sub-area where large quantities of oil or hazardous substances are transported. Such activities occur throughout the sub-area in quantities sufficient to pose a significant threat in the event of a fire.

XV. APPENDICES TABLE OF CONTENTS

A. ACRONYMS AND ABBREVIATIONS	A-1
B. DEFINITIONS	B-1
C. LOCAL, COUNTY AND STATE LAW ENFORCEMENT AGENCIES	C-1
D. PUBLIC HAZARDOUS MATERIALS TEAMS AND FIRE DEPARTMENTS	D-1
E. HOSPITALS AND AMBULANCES	E-1
F. MEDIA CONTACTS.....	F-1
G. RIVER CONDITIONS, AIR AND OTHER SUPPORT.....	G-1
H. LOCAL EMERGENCY PLANNING COMMITTEES AND LEPCS	H-1
I. MISSOURI RIVER REFERENCE TABLE (Data not currently available. Please see Page ii.).....	I-1
J. MISSOURI RIVER WATER INTAKES IN AND BELOW O/CB SUB-AREA (Data not currently available. Please see Page ii.)	J-1
K. RIVER TRAFFIC AND COMMODITIES	K-1
L. ENVIRONMENTALLY SENSITIVE AREAS AND ENDANGERED AND THREATENED SPECIES	L-1
M. SITE SAFETY PLAN.....	M-1
N. MEMORANDUMS OF UNDERSTANDING BETWEEN EPA REGIONS 5, 6 & 7 EMERGENCY RESPONSE PROGRAMS.....	N-1
CORRECTIONS AND UPDATES FORM.....	O-1

APPENDIX A. ACRONYMS AND ABBREVIATIONS

AC	Area Committee
ACP	Area Contingency Plan
ARARs	Applicable or Relevant and Appropriate Requirements
ARES	Amateur Radio Emergency Services
ATSDR	Agency for Toxic Substances and Disease Registry
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
BOA	Basic Ordering Agreement
BuRec	Bureau of Reclamation
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CDC	Centers for Disease Control
CHEMTREC	Chemical Transportation Emergency Center
CHRIS	Chemical Hazard Response Information Center
CIC	Community Involvement Coordinator
CIP	Community Involvement Plan
COTP	Captain of the Port
CWA	Clean Water Act (Federal Water Pollution Control Act)
DOC	Department of Commerce
DOD	Department of Defense
DOE	Department of Energy
DOI	Department of the Interior
DOJ	Department of Justice
DOL	Department of Labor
DOS	Department of State
DOT	Department of Transportation
EAS	Emergency Alert System
DRAT	District Response Advisory Team (USCG)
EERU	Environmental Emergency Response Unit
EMAs	Emergency Management Agencies
EMSL	Environmental Monitoring and Support Laboratory (EPA)
EOC	Emergency Operations Center
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right To Know Act (SARA Title III)
ERRS	Emergency and Rapid Response Services (EPA contract)
ESA	Endangered Species Act
ERT	Environmental Response Team
ESA	Environmentally Sensitive Area or Endangered Species Act
ESF	Emergency Support Function
FCP	Forward Command Post
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FOSC	Federal On-Scene Coordinator
FCP	Forward Command Post
FRERP	Federal Radiological Emergency Response Plan
FRP	Federal Response Plan
FWPCA	Federal Water Pollution Control Act
GIS	Geographic Information System
GSA	General Services Administration

APPENDIX A. ACRONYMS AND ABBREVIATIONS

HAZMAT	Hazardous Materials
HAZWOPER	Hazardous Waste Operations and Emergency Response
HHS	Department of Health and Human Services
HMRT	Hazardous Materials Response Team
IC	Incident Commander
ICP	Integrated Contingency Plan (guidance)
ICS	Incident Command System
IDALS	Iowa Department of Agriculture and Land Stewardship
IDNR	Iowa State Department of Natural Resources
IDOT	Iowa Department of Transportation
LEOP	Local Emergency Operations Plan
LEPC	Local Emergency Planning Committee
LERP	Local Emergency Response Plan
LFA	Lead Federal Agency
LO	Liaison Officer
MERS	Mobile Emergency Response Center
MMS	Minerals Management Service
MOU	Memorandum of Understanding
MSD	Marine Safety Detachment
MSDS	Material Safety Data Sheet
MSO	Marine Safety Office
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
NCRFC	North-Central River Forecast Center
NDEQ	Nebraska Department of Environmental Quality
NEMA	Nebraska Emergency Management Agency
NIOSH	National Institute for Occupational Safety and Health
NOAA	National Oceanic and Atmospheric Administration
NPFC	National Pollution Funds Center
NPS	National Park Service
NRC	National Response Center
NRS	National Response System
NRT	National Response Team
NSF	National Strike Force
NSP	Nebraska State Patrol
NSFCC	National Strike Force Coordination Center
NWR	National Wildlife Refuge
O/CB	Omaha/Council Bluffs
O/CB SACP	Omaha/Council Bluffs Sub-area Contingency Plan
OHMTADS	Oil & Hazardous Materials Technical Assistance Data System
OPA	Oil Pollution Act
OPA 90	Oil Pollution Act of 1990
OSC	On-Scene Coordinator
OPS	Office of Pipeline Safety
OSLTF	Oil Spill Liability Trust Fund
OSROs	Oil Spill Removal Organizations
OSWER	Office of Solid Waste and Emergency Response
PIAT	Public Information Assist Team
PIO	Public Information Officer
POLREP	Pollution Report in Message Format

APPENDIX A.
ACRONYMS AND ABBREVIATIONS

PREP	National Preparedness for Response Exercise Program
PRFA	Pollution Removal Funding Authorization
PRP	Potentially Responsible Party
RA	Regional Administrator
RACES	Radio Amateur Civil Emergency Services
RAT	Radiological Assistance Team
RCP	Regional Contingency Plan
RCRA	Resource Conservation and Recovery Act
RERT	Radiological Emergency Response Team
RICP	Regional Integrated Contingency Plan
RP	Responsible Party
RPM	Remedial Project Manager
RRC	Regional Response Center
RRT	Regional Response Team
RSPA	Research and Special Programs Administration
SACP	Sub-Area Contingency Plan
SARA	Superfund Amendments and Reauthorization Act of 1986
SARA Title III	Title III of the Superfund Amendments and Reauthorization Act of 1986
SEOC	State Emergency Operations Center
SERC	State Emergency Response Commission
SKIM	Spill Cleanup Inventory System
SMOA	Superfund Memorandum of Agreement
SONS	Spills of National Significance
SOSC	State On-Scene Coordinator
SRA	State Recreational Area
SSC	Scientific Support Coordinator
SSO	Site Safety Officer
SSP	Site Safety Plan
START	Superfund Technical Assessment and Response Team (EPA)
TOPS	Technical Operating Procedures
UCS	Unified Command System
USDA	United States Department of Agriculture
USCG	United States Coast Guard
USGS	United States Geological Survey
USFWS	United States Fish and Wildlife Service
V.F.D.	Volunteer Fire Department
WCD	Worst-Case Discharge

APPENDIX B. DEFINITIONS

Activation means notification by telephone or other expeditious manner or, when required, the assembly of some or all appropriate members of the RRT or NRT.

Affected Environment, under Title 126 NDEQ Rules and Regulations Pertaining to the Management of Wastes (Title 126-NDEQ) Chapter 1, means any portion of the waters of the state or land which has been altered either physically, chemically or biologically due to the release of a oil or hazardous substance.

Area Committee (AC), as provided for by CWA sections 311(a)(18) and (j)(40), means the entity appointed by the President consisting of members from qualified personnel of federal, state, and local agencies with responsibilities that include preparing an area contingency plan for an area designated by the President.

Area Contingency Plan (ACP), as provided for by CWA sections 311(a)(19) and (j)(4), means the plan prepared by an Area Committee that is developed to be implemented in conjunction with the NCP and RCP, in part to address removal of a worst-case discharge and to mitigate or prevent a substantial threat of such a discharge from a vessel, offshore facility, or onshore facility operating in or near an area designated by the President.

Bioremediation agents means microbiological cultures, enzyme additives, or nutrient additives that are deliberately introduced into an oil discharge and that will significantly increase the rate of biodegradation to mitigate the effects of the discharge.

CERCLA is the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986.

Chemical Agents means those elements, compounds, or mixtures that coagulate, disperse, dissolve, emulsify, foam, neutralize, precipitate, reduce, solubilize, oxidize, concentrate, congeal, entrap, fix, make the pollutant mass more rigid or viscous, or otherwise facilitate the mitigation of deleterious effects or the removal of the pollutant from the water. Chemical agents include biological additives, dispersants, sinking agents, miscellaneous oil spill control agents, and burning agents, but do not include sorbents.

Claim, for purposes of a release under CERCLA, means a demand in writing for a sum certain; for purposes of a discharge under CWA, it means a request, made in writing for a sum certain, for compensation for damages or removal costs resulting from an incident.

Cleanup, under the Code of Iowa Chapter 455B. 381(1), means actions necessary to contain, collect, control, identify, analyze, clean up, treat, disperse, remove, or dispose of a hazardous substance.

Cleanup, under Title 126-NDEQ, Chapter 1, means the physical removal or on-site treatment of an oil or hazardous substance release. This may include, but not be limited to, controlling public access and monitoring activities to determine the effectiveness of removal or treatment activities.

Cleanup costs, under the Code of Iowa Chapter 455B. 381(2), means costs incurred by the state or its political subdivisions or their agents, or by any other person participating with the approval of the

APPENDIX B. DEFINITIONS

director in the prevention or mitigation of damages from a hazardous condition or the cleanup of a hazardous substance involved in a hazardous condition.

Coast Guard District Response Group (DRG), as provided for by CWA sections 311(a)(20) and (j)(3), means the entity established by the Secretary of the department in which the USCG is operating, within each USCG district, and shall consist of: the combined USCG personnel and equipment, including marine firefighting equipment, of each port in the district; additional prepositioned response equipment; and a district response advisory team.

Discharge, as defined by section 311(a)(2) of the CWA, includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping of oil, but excludes discharges in compliance with a permit under section 402 of the CWA, discharges resulting from circumstances identified and reviewed and made a part of the public record with respect to a permit issued or modified under section 402 of the CWA, and subject to a condition in such permit, or continuous or anticipated intermittent discharges from a point source, identified in a permit or permit application under section 402 of the CWA, that are caused by events occurring within the scope of relevant operating or treatment systems. For purposes of the NCP, discharge also means substantial threat of discharge.

Discharge, under Title 126-NDEQ, Chapter 1, when used without qualification, means a discharge of a pollutant, and a discharge of pollutants.

Discharge of a pollutant and **Discharge of pollutants**, under Title 126-NDEQ, Chapter 1, each means any addition of any pollutant or combination of pollutants to waters of the state from any point or nonpoint source. This includes discharge into waters of the state from surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, owned by a state, municipality or other party which do not lead to treatment systems.

Dispersants means those chemical agents that emulsify, disperse, or solubilize the oil into the water column or promote the surface spreading of oil slicks to facilitate dispersal of the oil into the water column.

Environment, as defined by section 101(8) of CERCLA, means the navigable waters, the waters of the contiguous zone, and the ocean waters of which the natural resources are under the exclusive management authority of the United States under the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.); and any other surface water, ground water, drinking water supply, land surface or subsurface strata, or ambient air within the United States or under the jurisdiction of the United States.

Facility, as defined by section 101(9) of CERCLA, means any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft, or any site or area, where a hazardous substance has been deposited, stored, disposed of, or placed, or otherwise come to be located; but does not include any consumer product in consumer use or any vessel. As defined by section 1001 of the OPA, it means any structure, group of structures, equipment, or device (other than a vessel) which is used for one or more of the following purposes: Exploring for, drilling for, producing, storing, handling, transferring, processing, or transporting oil. This term includes any motor vehicle, rolling stock, or pipeline used for one or more of these purposes.

APPENDIX B. DEFINITIONS

Federal Radiological Emergency Response Plan (FRERP) means the interagency agreement for coordinating the response of various agencies, under a variety of statutes, to a large radiological accident. The Lead Federal Agency (LFA), defined by the FRERP activates the FRERP for any peacetime radiological emergency which, based upon its professional judgment, is expected to have significant radiological effect within the United States, its territories, possessions, or territorial waters and that could require a response by several federal agencies.

Federal Response Plan (FRP) means the agreement signed by 27 federal departments and agencies in April 1987 and developed under the authorities of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and the Disaster Relief Act of 1974 (42 U.S.C. 3231 et seq.), as amended by the Stafford Disaster Relief Act of 1988.

First federal official means the first federal representative of a participating agency of the NRT to arrive at the scene of a discharge or a release. This official coordinates activities under the NCP and may initiate, in consultation with the OSC, any necessary actions until the arrival of the predesignated OSC. A state with primary jurisdiction over a site covered by a cooperative agreement will act in the stead of the first federal official for any incident at the site.

Free Product, under Title 126-NDEQ, Chapter 1, means an oil or hazardous substance that is present as a non-aqueous phase liquid (e.g. liquid not dissolved in water).

Fund or Trust Fund means the Hazardous Substance Superfund established by section 9507 of the Internal Revenue Code of 1986.

Ground water, as defined by section 101(12) of CERCLA, means water in a saturated zone or stratum beneath the surface of land or water.

Hazardous condition, under the Iowa Administrative Code 567.1-131.1 (455B), means any situation involving the actual, imminent or probable spillage, leakage, or release of a hazardous substance onto the land, into a water of the state or into the atmosphere which, because of the quantity, strength and toxicity of the hazardous substance, its mobility in the environment and its persistence, creates an immediate or potential danger to the public health or safety or to the environment.

Hazardous substance, under the Iowa Administrative Code 567.1-131.1 (455B), means any substance or mixture of substances that presents a danger to the public health or safety and includes, but is not limited to, a substance that is toxic, corrosive, or flammable, or that is an irritant or that, in confinement, generates pressure through decomposition, heat or other means. The following are examples of substances which, in sufficient quantity, may be hazardous: acids; alkalis; explosives; fertilizers; heavy metals such as chromium, arsenic, mercury, lead and cadmium; industrial chemicals; paint thinners; paints; pesticides; petroleum products; poisons; radioactive materials; sludges; and organic solvents. Hazardous substances may include any hazardous waste identified or listed by the administrator of the U.S. EPA under the Solid Waste Disposal Act as amended by the RCRA of 1976, or any toxic pollutant listed under section 307 of the Federal Water Pollution Control Act as amended to January 1, 1977, or any hazardous substance designated under section 311 of the Federal Water Pollution Control Act as amended January 1, 1977, or any hazardous material designated by the secretary of transportation under the Hazardous Materials Transportation Act (49 CFR § 172.101).

APPENDIX B. DEFINITIONS

Hazardous substance, as defined by section 101(14) of CERCLA, means: Any substance designated pursuant to section 311(b)(2)(A) of the CWA; any element, compound, mixture, solution, or substance designated pursuant to section 102 of CERCLA; any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (but not including any waste the regulation of which under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) has been suspended by Act of Congress); any toxic pollutant listed under section 307(a) of the CWA; any hazardous air pollutant listed under section 112 of the Clean Air Act (42 U.S.C. 7521 et seq.); and any imminently hazardous chemical substance or mixture with respect to which the EPA Administrator has taken action pursuant to section 7 of the Toxic Substances Control Act (15 U.S.C. 2601 et seq.). The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance in the first sentence of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).

Hazardous Substance, under Title 126-NDEQ, Chapter 1, means any substance or mixture of substances other than oil and petroleum related products or radioactive substances, which, when released into the environment, presents an imminent and substantial hazard to the public health or welfare, including, but not limited to, fish, shellfish or other wildlife, and:

021.01 Any substances designated pursuant to Chapter 4, 002 through 005 of the Rules and Regulations Governing Hazardous Waste Management in Nebraska;

021.02 Any substance designated by the U.S. EPA pursuant to sections 101(14) of CERCLA or Section 329 (3) of EPCRA.

Hazardous Waste, under Title 126-NDEQ, Chapter 1, shall be consistent with the definitions found in title 128-Rules and Regulations Governing Hazardous Waste Management in Nebraska.

Inland waters, for the purposes of classifying the size of discharges, means those waters of the United States in the inland zone, waters of the Great Lakes, and specified ports and harbors on inland rivers.

Inland zone means the environment inland of the coastal zone excluding the Great Lakes and specified ports and harbors on inland rivers. The term inland zone delineates an area of federal responsibility for response action. Precise boundaries are determined by EPA/USCG agreements and identified in federal regional contingency plans.

Land, means any natural or man-made surfaces of the earth, excluding water.

Lead Administrative Trustee means a natural resource trustee who is designated on an incident-by-incident basis for the purpose of pre-assessment and damage assessment and chosen by the other trustees whose natural resources are affected by the incident. The lead administrative trustee facilitates effective and efficient communication during response operations between the OSC and the other natural resource trustees conducting activities associated with damage assessment, and is responsible for applying to the OSC for access to response operations resources on behalf of all trustees for initiation of a damage assessment.

APPENDIX B. DEFINITIONS

Lead agency means the agency that provides the OSC/RPM to plan and implement response actions under the NCP. EPA, the USCG, another federal agency, or a state or political subdivision of a state) operating pursuant to a contract or cooperative agreement executed pursuant to section 104(d)(1) of CERCLA, or designated pursuant to Superfund Memorandum of Agreement (SMOA) entered into pursuant to subpart F of the NCP or other agreements may be the lead agency for a response action. In the case of a release of a hazardous substance, pollutant, or contaminant, where the release is on, or the sole source of the release is from, any facility or vessel under the jurisdiction, custody, or control of Department of Defense (DOD) or Department of Energy (DOE), then DOD or DOE will be the lead agency. Where the release is on, or the sole source of the release is from, any facility or vessel under the jurisdiction, custody, or control of federal agency other than EPA, the USCG, DOD, or DOE, then that agency will be the lead agency for remedial actions and removal actions other than emergencies. The federal agency maintains its lead agency responsibilities where the remedy is selected by the federal agency for non-NPL sites or by EPA and the federal agency or by EPA alone under CERCLA section 120. The lead agency will consult with the support agency, if one exists, throughout the response process.

Management of migration means actions that are taken to minimize and mitigate the migration of hazardous substances or pollutants or contaminants and the effects of such migration. Measures may include, but are not limited to, management of a plume of contamination, restoration of a drinking water aquifer, or surface water restoration.

Miscellaneous oil spill control agent is any product, other than a dispersant, sinking agent, surface washing agent, surface collecting agent, bioremediation agent, burning agent, or sorbent that can be used to enhance oil spill cleanup, removal, treatment, or mitigation.

National Pollution Funds Center (NPFC) means the entity established by the Secretary of Transportation whose function is the administration of the Oil Spill Liability Trust Fund (OSLTF). Among the NPFC's duties are: providing appropriate access to the OSLTF for federal agencies and states for removal actions and for federal trustees to initiate the assessment of natural resource damages; providing appropriate access to the OSLTF for claims; and coordinating cost recovery efforts.

National response system (NRS) is the mechanism for coordinating response actions by all levels of government in support of the OSC/RPM. The NRS is composed of the NRT, RRTs, OSC/RPM, Area Committees, and Special Teams and related support entities. The NRS is capable of expanding or contracting to accommodate the response effort required by the size or complexity of the discharge or release.

National Strike Force (NSF) is a special team established by the USCG, including the three USCG Strike Teams, the Public Information Assist Team (PIAT), and the National Strike Force Coordination Center. The NSF is available to assist OSCs/ RPMs in their preparedness and response duties.

National Strike Force Coordination Center (NSFCC), authorized as the National Response Unit by CWA sections 311 (a)(23) and (j)(2), means the entity established by the Secretary of the department, in which the USCG is operating at Elizabeth City, North Carolina, with responsibilities that include administration of the USCG Strike Teams, maintenance of response equipment inventories and logistic networks, and conducting a national exercise program.

APPENDIX B. DEFINITIONS

Natural resources means land, fish, wildlife, biota, air, water, ground water, drinking water supplies, and other such resources belonging to, managed by, held in trust by, appertaining to, or otherwise controlled by the United States (including the resources of the exclusive economic zone defined by the Magnuson Fishery Conservation and Management Act of 1976), any state or local government, any foreign government, any Indian tribe, or, if such resources are subject to a trust restriction on alienation, any member of an Indian tribe.

Navigable waters, as defined by 40 CFR 110.1, means the waters of the United States, including the territorial seas. The term includes:

- (1) All waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters that are subject to the ebb and flow of the tide;
- (2) Interstate waters, including interstate wetlands;
- (3) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, and wetlands, the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters;
 - (i) That are or could be used by interstate or foreign travelers for recreational or other purposes;
 - (ii) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce;
 - (iii) That are used or could be used for industrial purposes by industries in interstate commerce;
- (4) All impoundments of waters otherwise defined as navigable waters under this section;
- (5) Tributaries of waters identified in paragraphs (a) through (d) of this definition, including adjacent wetlands; and
- (6) Wetlands adjacent to waters identified in paragraphs (a) through (e) of this definition: Provided, that waste treatment systems (other than cooling ponds meeting the criteria of this paragraph) are not waters of the United States.

(7) Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

Oil, as defined by section 311(a)(1) of the CWA, means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil, as defined by section 1001 of the OPA means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil, but does not include petroleum, including crude oil or any fraction thereof, which is specifically listed or designated as a hazardous substance under subparagraphs (A) through (F) of section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601) and which is subject to the provisions of that Act.

Oil, under Title 126-NDEQ, Chapter 1, means oil of any kind or in any form, including, but not limited to:

030.01 Petroleum, fuel oil, oil refuse, and oil mixed with wastes other than dredged spoil (Section 311(a)(1) or the Federal Clean Water Act) and:

030.02 Fats and oils from animals and vegetable sources.

APPENDIX B. DEFINITIONS

Oil Spill Liability Trust Fund (OSLTF) means the fund established under section 9509 of the Internal Revenue Code of 1986 (26 U.S.C. 9509).

On-scene coordinator (OSC) means the federal official predesignated by EPA or the USCG to coordinate and direct responses under subpart D, or the government official designated by the lead agency to coordinate and direct removal actions under subpart E of the NCP.

Onshore facility as defined by section 101(18) of CERCLA, means any facility (including, but not limited to, motor vehicles and rolling stock) of any kind located in, on, or under any land or non-navigable water within the United States; and , as defined by section 311(a)(10) of the CWA, means any facility (including, but not limited to, motor vehicles and rolling stock) of any kind located in, on, or under any land within the United States other than submerged land.

On-site means the areal extent of contamination and all suitable areas in very close proximity to the contamination necessary for implementation of the response action.

Person, as defined by section 101(21) of CERCLA, means an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, United States government, state, municipality, commission, political subdivision of a state, or any interstate body. As defined by section 1001 of the OPA, “person” means an individual, corporation, partnership, association, state, municipality, commission, or political subdivision of a state, or any interstate body.

Person, under Section 3.26 of the Act., 35 Iowa Administrative Code 809.103, means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity or their legal representative, agent or assignee.

Person having control over a hazardous substance, under the Code of Iowa Chapter 455B 381(7), means a person who at any time produces, handles, stores, uses, transports, refines or disposes of a hazardous substance the release of which creates a hazardous condition, including bailees, carriers, and any other person in control of a hazardous substance when a hazardous condition occurs, whether the person owns the hazardous substance or is operating under a lease, contract, or other agreement with the legal owner of the hazardous substance.

Pollutant or contaminant, as defined by section 101(33) of CERCLA, shall include, but not be limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chain, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in such organisms or their offspring. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under section 101(14)(A) through (F) of CERCLA, nor does it include natural gas, liquefied natural gas, or synthetic gas of pipeline quality (or mixtures of natural gas and such synthetic gas). For purposes of the NCP, the term pollutant or contaminant means any pollutant or contaminant that may present an imminent and substantial danger to public health or welfare of the United States.

APPENDIX B. DEFINITIONS

Public vessel, as defined by section 311(a)(4) of the CWA, means a vessel owned or bareboat-chartered and operated by the United States, or by a state or political subdivision thereof, or by a foreign nation, except when such vessel is engaged in commerce.

Release, under the Code of Iowa Chapter 455B 381(8), means a threatened or real emission, discharge, spillage, leakage, pumping, pouring, emptying, or dumping of a hazardous substance into or onto the land, air or waters of the state.

Release, under Title 126-NDEQ, Chapter 1, means, but is not limited to, any discharging, spilling, leaking, pumping, emitting, emptying or dumping of oil or hazardous substances upon land, beneath the surface of the land, or into waters of the state, either by accident or otherwise.

Remedial Action, under Title 126-NDEQ, Chapter 1, means any immediate or long-term response to a release or suspected release of an oil or hazardous substances, including precision testing of tanks and lines, site investigation, drilling, cleanup, restoration, mitigation, and any other action which the Department determines is reasonable or necessary.

Responsible Person, under Title 126-NDEQ, Chapter 1, means any person producing, handling, storing, transporting, refining, or disposing of an oil or hazardous substance when a release occurs, either by accident or otherwise. This includes carriers and any other person in control of an oil or hazardous substance when a release occurs, whether they own the oil or hazardous substances or are operating under a lease, contract, or other agreement with the legal owner thereof.

Remove or removal, as defined by section 311(a)(8) of the CWA, refers to containment and removal of oil or hazardous substances from the water and shorelines or the taking of such other actions as may be necessary to minimize or mitigate damage to the public health or welfare of the United States (including, but not limited to, fish, shellfish, wildlife, public and private property, and shorelines and beaches) or to the environment. For the purpose of the NCP, the term also includes monitoring of action to remove a discharge. As defined by section 101(23) of CERCLA, remove or removal means the cleanup or removal of released hazardous substances from the environment; such actions as may be necessary taken in the event of the threat of release of hazardous substances in the environment; such actions as may be necessary to monitor, assess, and evaluate the release or threat of release of hazardous substances; the disposal of removed material; or the taking of such other actions as may be necessary to prevent, minimize, or mitigate damage to the public health or welfare of the United States or to the environment, which may otherwise result from a release or threat of release. The term includes, in addition, without being limited to, security fencing or other measures to limit access, provision of alternative water supplies, temporary evacuation and housing of threatened individuals not otherwise provided for, action taken under section 104(b) of CERCLA, post-removal site control, where appropriate, and any emergency assistance which may be provided under the Disaster Relief Act of 1974. For the purpose of the NCP, the term also includes enforcement activities related thereto.

Removal costs, as defined by section 1001 of the OPA, means the costs of removal that are incurred after a discharge of oil has occurred, or in any case in which there is a substantial threat of a discharge of oil, the costs to prevent, minimize, or mitigate oil pollution from such an incident.

Respond or response, as defined by section 101(25) of CERCLA, means remove, removal, remedy, or remedial action, including enforcement activities related thereto.

Responsible party, as defined by section 1001 of the OPA, means the following:

APPENDIX B. DEFINITIONS

- (1) Vessels-In the case of a vessel, any person owning, operating, or demise chartering the vessel.
- (2) Onshore Facilities-In the case of an onshore facility (other than a pipeline), any person owning or operating the facility, except a federal agency, state, municipality, commission, or political subdivision of a state, or any interstate body, that as the owner transfers possession and right to use the property to another person by lease, assignment, or permit.
- (3) Offshore Facilities-In the case of an offshore facility (other than a pipeline or a deep water port licensed under the Deep water Port Act of 1974 (33 U.S.C. 1501 et seq.)), the lessee or permittee of the area in which the facility is located or the holder of a right of use and easement granted under applicable state law or the Outer Continental Shelf Lands Act (43 U.S.C. 1301-1356) for the area in which the facility is located (if the holder is a different person than the lessee or permittee), except a federal agency, state, municipality, commission, or political subdivision of a state, or any interstate body, that as owner transfers possession and right to use the property to another person by lease, assignment, or permit.
- (4) Deep water Ports-In the case of a deep water port licensed under the Deep water Port Act of 1974 (33 U.S.C. 1501-1524), the licensee.
- (5) Pipelines-In the case of a pipeline, any person owning or operating the pipeline.
- (6) Abandonment-In the case of an abandoned vessel, onshore facility, deep water port, pipeline, or offshore facility, the person who would have been responsible parties immediately prior to the abandonment of the vessel or facility.

SARA is the Superfund Amendments and Reauthorization Act of 1986. In addition to certain free-standing provisions of law, it includes amendments to CERCLA, the Solid Waste Disposal Act, and the Internal Revenue Code. Among the free-standing provisions of law is Title III of SARA, also known as the "Emergency Planning and Community Right-to-Know Act of 1986" and Title IV of SARA, also known as the "Radon Gas and Indoor Air Quality Research Act of 1986." Title V of SARA amending the Internal Revenue Code is also known as the "Superfund Revenue Act of 1986."

Sinking agents means those additives applied to oil discharges to sink floating pollutants below the water surface.

Size classes of discharges refers to the following size classes of oil discharges which are provided as guidance to the OSC and serve as the criteria for the actions delineated in subpart D. They are not meant to imply associated degrees of hazard to public health or welfare of the United States, nor are they a measure of environmental injury. Any oil discharge that poses a substantial threat to public health or welfare of the United States or the environment or results in significant public concern shall be classified as a major discharge regardless of the following quantitative measures:

- (1) Minor discharge means a discharge to the inland waters of less than 1,000 gallons of oil or a discharge to the coastal waters of less than 10,000 gallons of oil.
- (2) Medium discharge means a discharge of 1,000 to 10,000 gallons of oil to the inland waters or a discharge of 10,000 to 100,000 gallons of oil to the coastal waters.
- (3) Major discharge means a discharge of more than 10,000 gallons of oil to the inland waters or more than 100,000 gallons of oil to the coastal waters.

Size classes of releases refers to the following size classifications which are provided as guidance to the OSC for meeting pollution reporting requirements in subpart B. The final determination of the appropriated classification of a release will be made by the OSC based on consideration of the particular release (e.g., size, location, impact, etc.):

APPENDIX B. DEFINITIONS

(1) Minor release means a release of a quantity of hazardous substance(s), pollutant(s), or contaminant(s) that poses minimal threat to public health or welfare of the United States or the environment.

(2) Medium release means a release not meeting the criteria for classification as minor or major release.

(3) Major release means a release of any quantity of hazardous substance(s), pollutant(s), or contaminant(s) that poses a substantial threat to public health or welfare of the United States or the environment or results in significant public concern.

Sorbents means essentially inert and insoluble materials that are used to remove oil and hazardous substances from water through adsorption, in which the oil or hazardous substance is attracted to the sorbent surface and then adheres to it; absorption, in which the oil or hazardous substance penetrates the pores of the sorbent material; or a combination of the two. Sorbents are generally manufactured in particulate form for spreading over an oil slick or as sheets, rolls, pillows, or booms. The sorbent material may consist of, but is not limited to, the following materials:

- (1) Organic products-
 - (i) Peat moss or straw;
 - (ii) Cellulose fibers or cork;
 - (iii) Corn cobs;
 - (iv) Chicken, duck, or other bird feathers.
- (2) Mineral compounds-
 - (i) Volcanic ash or perlite;
 - (ii) Vermiculite or zeolite.
- (3) Synthetic products-
 - (i) Polypropylene;
 - (ii) Polyethylene;
 - (iii) Polyurethane;
 - (iv) Polyester.

Source control action is the construction or installation and start-up of those actions necessary to prevent the continued release of hazardous substances or pollutants or contaminants (primarily from a source on top of or within the ground, or in buildings or other structures) into the environment.

Source control maintenance measures are those measures intended to maintain the effectiveness of source control actions once such actions are operating and functioning properly, such as the maintenance of landfill caps and leachate collection systems.

Specified ports and harbors means those ports and harbor areas on inland rivers, and land areas immediately adjacent to those waters, where the USCG acts as predesignated on-scene coordinator. Precise locations are determined by EP/USCG regional agreements and identified in federal Regional Contingency Plans and Area Contingency Plans.

Spill of national significance (SONS) means a spill that due to its severity, size, location, actual or potential impact on the public health and welfare or the environment, or the necessary response effort, is so complex that it requires extraordinary coordination of federal, state, local, and responsible party resources to contain and clean up the discharge.

APPENDIX B. DEFINITIONS

State means the several states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the U.S. Virgin Islands, the Commonwealth of the Northern Marianas, and any other territory of possession over which the United States has jurisdiction. For purposes of the NCP, the term includes Indian tribes as defined in the NCP except where specifically noted. Section 126 of CERCLA provides that the governing body of an Indian tribe shall be afforded substantially the same treatment as a state with respect to certain provisions of CERCLA. Section 300.515(b) of the NCP describes the requirements pertaining to Indian tribes that wish to be treated as states under CERCLA.

Support agency means the agency or agencies that provide the support agency coordinator to furnish necessary data to the lead agency, review response data and documents, and provide other assistance as requested by the OSC or RPM. EPA, the USCG, another federal agency, or a state may be support agencies for a response action if operating pursuant to a contract executed under section 104(d)(1) of CERCLA or designated pursuant to a Superfund Memorandum of Agreement entered into pursuant to subpart F of the NCP or other agreement. The support agency may also concur on decision documents.

Surface collecting agents means those chemical agents that form a surface film to control the layer thickness of oil.

Surface washing agent is any product that removes the oil from solid surfaces, such as beaches and rocks, through a detergent mechanism and does not involve dispersing or solubilizing the oil into the water column.

Tank vessel as defined by section 1001 of the OPA means a vessel that is constructed or adapted to carry, or that carries oil or hazardous material in bulk as cargo or cargo residue, and that:

- (1) is a vessel of the United States;
- (2) operates on the navigable waters; or
- (3) transfers oil or hazardous material in a place subject to the jurisdiction of the United States.

Threat of discharge or release, see definitions for discharge and release.

Threat of release, see definition for release.

Trustee means an official of a federal natural resources management agency designated in subpart G of the NCP or a designated state official or Indian tribe or, in the case of discharges covered by the OPA, a foreign government official, who may pursue claims for damages under section 107(f) of CERCLA or section 1006 of the OPA.

United States, when used in relation to section 311(a)(5) of the CWA, means the states, the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, the United States Virgin Islands, and the Pacific Island Governments. United States, when used in relation to section 101(27) of CERCLA and section 1001(36) of the OPA, includes the several states of the (ESA) States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Marianas, and any other territory or possession over which the United States has jurisdiction.

Vessel as defined by section 101(28) of CERCLA, means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water; and, as

APPENDIX B. DEFINITIONS

defined by section 311(a)(3) of the CWA, means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water other than a public vessel.

Waters of the state, under Code of Iowa Chapter 455B 381(10), means rivers, streams, lakes and any other bodies of surface and subsurface water lying within or forming a part of the boundaries of the state which are not entirely confined and located completely upon lands owned, leased or otherwise controlled by a single person or by two or more persons jointly or as tenants in common. Waters of the state includes waters of the United States lying within the state.

Waters of the state, under Title 126-NDEQ, Chapter 1, means all waters within the jurisdiction of this state, including all streams, lakes, ponds, impounding reservoirs, marshes, wetlands, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, situated wholly or partly within or bordering upon the state.

Worst-case discharge, as defined by section 311(a)(24) of the CWA, means, in the case of a vessel, a discharge in adverse weather conditions of its entire cargo, and, in the case of an offshore facility or onshore facility, the largest foreseeable discharge in adverse weather conditions.

APPENDIX C
LOCAL, COUNTY AND STATE LAW ENFORCEMENT AGENCIES

Department	24-hour	Administrative	FAX
<u>Nebraska State Patrol</u>			
Norfolk Dispatch (Northernmost Washington County)	(402) 370-3456		(402) 370-3461
Omaha Dispatch (Majority of Sub-area)	(402) 331-3333		(402) 595-2205
Lincoln Dispatch (South ½ of Cass County)	(402) 471-4545		(402) 479-4039
<u>Cass County, Nebraska</u>			
Cass County Sheriff	(402) 296-9370	(402) 296-9370	(402) 296-9390
Plattsmouth Police Department	(402) 296-9370 (night) (402) 296-3311 (day)	(402) 296-3311	
<u>Douglas County, Nebraska</u>			
Douglas County Sheriff	(402) 444-6627	(402) 444-6620	(402) 444-7342
Omaha Police Department	(402) 444-5818	(402) 444-5600	(402) 444-4232 (911 FAX)
<u>Sarpy County, Nebraska</u>			
Bellevue Police Department	(402) 593-2310 or 4111	(402) 293-3100	(402) 293-3090
LaVista Police Department	(402) 593-2310 or 4111	(402) 331-1582	(402) 331-7210
Papillion Police Department	(402) 593-2310 or 4111	(402) 597-2036	(402) 592-9810
Sarpy County Sheriff	(402) 593-2310 or 4111	(402) 593-2290	(402) 593-4323
<u>Washington County, Nebraska</u>			
Blair Police Department	(402) 426-4747		(402) 426-6820
Washington County Sheriff	(402) 426-6866		(402) 426-6820
<u>Iowa State Patrol</u>			
District 3-Council Bluffs	(712) 328-8001		(712) 328-1504
Atlantic- State Radio	(712) 769-2395		(712) 769-2475
<u>Mills County, Iowa</u>			
Mills County Sheriff	(712) 527-4871	(712) 527-4337	(712) 527-4600
Glenwood Police Department	(712) 527-4844	(712) 527-9920	(712) 527-5236
<u>Pottawattamie County, Iowa</u>			
Pottawattamie County Sheriff	(712) 890-2200	(712) 890-2200	(712) 328-4843
Council Bluffs Police Department	(712) 328-4721	(712) 328-4707 or 4702	(712) 328-4843

APPENDIX D PUBLIC HAZARDOUS MATERIALS TEAMS AND FIRE DEPARTMENTS

Cass County, Nebraska

The county has 13 fire districts. None of the districts has specialized hazardous materials response equipment. All 13 have some personnel trained to respond at the operations level. All are dispatched through the Communications Center:

Fire Department	24-hour	Administrative number
Avoca VFD	(402) 296-9370	(402) 275-3345
Cedar Creek VFD	(402) 296-9370	(402) 234-7856
Eagle-Alvo VFD	(402) 441-6000	(402) 781-2745
Elmwood VFD	(402) 296-9370	(402) 994-6705
Greenwood VFD	(402) 441-6000	(402) 789-3360
Louisville VFD	(402) 229-9370	(402) 234-3295
Murdock VFD	(402) 296-9370	(402) 867-2771
Murray Rural VFD	(402) 296-9370	(402) 235-2492
Nehawka VFD	(402) 296-9370	(402) 227-2235
Plattsmouth VFD	(402) 296-9370	(402) 296-6041
Union VFD	(402) 296-9370	(402) 263-3830
Weeping Water VFD	(402) 296-9370	(402) 267-7875

Douglas County, Nebraska

The Omaha Fire Department borders the Missouri River and is dispatched through the 911 Center. **The department has a full-time HazMat Team.**

Omaha	(402) 444-5736	(402) 444-5708
Bennington	(402) 444-5736	(402) 238-2546
Boys Town	(402) 444-5736	(402) 498-1115
Elkhorn	(402) 444-5736	(402) 289-4422
Eppley	(402) 444-5736	(402) 422-6585
Irvington	(402) 444-5736	(402) 571-0451
Ponca Hills	(402) 444-5736	(402) 455-1357
Ralston	(402) 444-5736	(402) 331-5369
Valley	(402) 444-5736	(402) 339-8611
Waterloo	(402) 444-5736	(402) 289-4444

Sarpy County, Nebraska

The Bellevue Fire District borders on the Missouri River and is dispatched through the 911 Center.

Fire Department	24-hour	Administrative number
Bellevue	(402) 593-4111	(402) 293-3153
Gretna	(402) 593-4111	(402) 332-3337
LaVista	(402) 593-4111	(402) 331-4748
Offutt Air Force Base	(402) 294-3582	(402) 294-3778
Papillion	(402) 593-4111	(402) 339-8611
Springfield	(402) 593-4111	(402) 253-2892

APPENDIX D PUBLIC HAZARDOUS MATERIALS TEAMS AND FIRE DEPARTMENTS

Fire Department	24-hour	Administrative number
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Washington County, Nebraska

Washington County has three fire districts, all of which are dispatched through the Washington County 911 Communications Center. Two of the fire districts, Blair and Fort Calhoun, are along the Missouri River and have water rescue capabilities. Cities with fire departments and the districts' administrative numbers follow.

Arlington	(402) 426-6866	
Blair	(402) 426-6866	(402) 426-4262
Ft. Calhoun	(402) 426-6866	(402) 468-5747
Herman	(402) 426-6866	
Kennard	(402) 426-6866	(402) 426-9520

Mills County, Iowa

Mills County contains all or part of nine fire districts, three of border the Missouri River (Glenwood, Pacific Junction and Tabor). All fire/rescue operations in the county are dispatched through the Mills County Communications 911 Dispatch Center.

Glenwood VFD	712-527-4871	712-527-2093/ 9332
Pacific Junction	same	
Silver City VFD	same	
Malvern VFD	same	712-624-8890
Mineola VFD	same	
Hastings VFD	same	
Emerson VFD	same	712-824-7475
Henderson VFD	same	
Tabor VFD	same	712-629-2375

Pottawattamie County, Iowa

Pottawattamie County contains all or part of 21 fire districts, five of which, Carter Lake, Missouri Valley (Harrison County) Crescent, Council Bluffs and Lewis Township, are along the Missouri River. All fire/rescue operations are dispatched through the Pottawattamie County Communications 911 Dispatch Center. **The Council Bluffs Fire Department has a full-time Hazardous Materials Response Team (HMRT) as well as capabilities for water rescues, which are dispatched through the 911 Dispatch Center.** Lewis Township also has water rescue capabilities.

Council Bluffs,	(712) 328-4730 (radio dispatch)	(712) 328-4730 (712) 328-5739 (director)
Carter Lake VFD	(712) 328-5799 (fire rescue)	
Crescent VFD		
Lewis Township VFD and Missouri Valley VFD. (coordinated point-to-point between Pottawattamie Co. and Harrison Co. 911 Dispatch Centers)		

**APPENDIX E
HOSPITALS AND PRIVATE AMBULANCES**

Cass County, Nebraska

None

Douglas County, Nebraska

Phone

Boys Town National Research Hospital) 555 North 30th Street	(402) 498-6511 (Switchboard)
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Immanuel Medical Center 6901 N. 72nd Street	(402) 572-2121 (Switchboard) (402) 572-2225 (Emergency)
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Methodist Richard Young (Mental Health Care) 26th & Harney	(402) 354-6600 Switchboard
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St. Joseph Hospital 601 N. 30th Street	(402) 449-5021 (Switchboard) (402) 449-4590 (Emergency)
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Archbishop Bergan Mercy Medical Center 7500 Mercy Road	(402) 398-6060 (Switchboard) (402) 398-6161 (Emergency)
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Methodist Health Systems Methodist/Childrens 8303 Dodge Street	(402) 354-4000 (Switchboard) (402) 354-4424 (Emergency)
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Nebraska Health Systems University/Clarkson 600 S. 42nd Street	(402) 559-5111 (Switchboard) (402) 559-4020 (Emergency)
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Mills County, Iowa

None

Pottawattamie County, Iowa

Alegent Health Mercy Hospital 800 Mercy Drive Council Bluffs	(712) 328-5151 (Switchboard) (712) 328-5230 (Emergency)
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Jennie Edmundson Hospital 933 E. Pierce Council Bluffs	(712) 328-6000 (Switchboard) (712) 328-6111 (Emergency)
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**APPENDIX E
HOSPITALS AND PRIVATE AMBULANCES**

Sarpy County, Nebraska

Midlands Community Hospital	(402) 593-3000 (Switchboard)
11111 84th Street	(402) 593-3550 (Emergency)
Papillion	

Washington County, Nebraska

Blair Memorial Hospital	(402) 426-2182 (Switchboard)
810 North 22nd	(402) 426-1167 (Emergency Room)
Blair, Nebraska 68008	

PRIVATE AMBULANCES

American Ambulance	(402) 342-0404
4520 F Street	

Omaha Ambulance	(402) 345-6666
4520 F Street	

Metro Medical Transportation	(402) 344-3600
1941 South 42nd	

Rural/Metro	(402) 346-9191
6211 L. Street	

Air Ambulances

AAA Advanced Air Ambulance (Fixed Wing)	(402) 341-2672
Eppley Airfield, Omaha	

Med Flight Dispatch (2 helicopters, 1 Fixed Wing)	(402) 342-8785 or 342-0072
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APPENDIX F MEDIA CONTACTS

Radio Stations

KCRO-AM
3615 Dodge Street
Omaha, NE 68131

(402) 422-1600
FAX: 422-1602

KEFM Mix 96 FM
105 South 70th Street
Omaha, NE 68132

(402) 558-9696
FAX: 558-3158

Journal Broadcast Group
KMXM-94.1 FM/KOMJ 590 AM
KBBX 1420 AM/KOSR 1490 AM
KEZO 92.3 FM/KQCH 97.7 FM
KSRZ 104.5 FM/KKCD 105.9 FM
5030 N. 72nd Street
Omaha, NE 68134

(402) 573-5900
News Hotline: 573-6397
FAX: 573-0139
Contact: Bill Jenson

KFAB 1110 AM/KGOR 99.9 FM
KXKT 103.7 FM/KTNP 93.3 FM
5010 Underwood Avenue
Omaha, NE 68132
EBS Primary Station

(402) 556-8000
FAX: 556-8937
24-hour: 556-5060
Contact: Tom Stanton

KGBI-FM
831 Pine Street
Omaha, NE 68108

(402) 449-2900 (24 hour)
FAX: 449-2825

KKAR 1290 AM/KQKQ 98.5 FM
KOIL 1180 AM/KZFX 101.9 FM
KAZP 1620 AM/KOIL 1180 AM
1001 Farnam on the Mall
Omaha, NE 68102

(402) 342-2000
News Desk: (402) 334-8384
FAX: 342-7041
24-Hour: 342-1290
or Cellular: Neil Nelkin, 402-598-5768
Contact: Joe Nittler

KVNO-FM 90.7 FM
6625 Dodge
Omaha, NE 68132-0234

(402) 554-2716 (24 hour)
FAX: 554-2440
Contact: Mike Hagstrom

KDCV 91.1 FM
Dana College
Blair, NE 68008

(402) 426-7205
Emergency: 426-7542

**APPENDIX F
MEDIA CONTACTS**

KIWR 89.7 The River FM
1700 College Road
Council Bluffs, IA 51503

(712) 325-3254
FAX: 325-3450
24-hour: 328-8970

KMA AM 960*
208 N. Elm
Shenandoah, IA 51601

(712) 246-5272
FAX: 246-5275
1-800-234-5622

**A favorite station of rural residents in Pottawattamie and Mills counties.*

KETV (ABC) Channel 7
2665 Douglas St.
Omaha, NE 68131

(402) 978-8954 (24 hours)
FAX: 978-8931
Contact: Rosanne Shannon

KMTV (CBS) Channel 3
10714 Mockingbird Drive
Omaha, Nebraska 68127

Phone: (402) 592-3333
After Hours: 592-4330 / 4331
Fax: 592-4714
Contact: Lisa Ellis

KPTM Fox 42
4625 Farnam Street
Omaha, NE 68131

(402) 554-4284
FAX: 554-4279
Contact: Tamara Bowen

KXVO (Ind) Channel 15
(Sister channel of KPTM Fox 42)
4625 Farnam Street
Omaha, NE 68131

(402) 558-4200
FAX: 554-4279
(no news staff)

WOWT (NBC) Channel 6
3501 Farnam Street
Omaha, NE 68131

(402) 346-6666
FAX: 233-7888
After Hours: 233-7322
Contact: John Clark, News Director

KYNE Channel 26 ETV
University of Nebraska Omaha
60th and Dodge
Omaha, NE 68132

(402) 554-2516
FAX: 554-2440

Cox Cable of Omaha
5011 Capital Avenue
Omaha, Nebraska 68132

(402) 551-8456
Fax: 551-8523

KCSI 95.3 FM KOAK 1080 AM
1991 Ironwood Avenue
Red Oak, IA 51566

(712) 623-2584

APPENDIX F MEDIA CONTACTS

Nebraska Print Media

Bellevue Leader 604 Fort Crook Road North P.O. Box 1219 Bellevue, NE 68005	(402) 733-7300 #7 for news FAX: 733-9116 No 24-hour number Contact: Dixie Cavner, Publisher
Gretna Breeze, LaVista Sun (weeklies) Papillion Times, Ralston Recorder, Springfield Monitor 138 North Washington P.O. Box 145 Papillion, NE 68046	(402) 339-3331 (8-5 daily) FAX: 339-8562 No 24-hour number Contact: Jamie Hesterman, Editor
Gretna Guide and News (weekly) 916 Village Square Gretna, NE 68028	(402) 332-3232 FAX: 332-4733 No 24-hour number
Plattsmouth Journal (weekly) 410 Main Street P.O. Box 250 Plattsmouth, NE 68048	(402) 296-2141 FAX: 296-3401
Omaha Daily Record (Daily) 3323 Leavenworth Omaha, NE 68105	(402) 345-1303 FAX: 345-2351
Omaha World Herald (Daily) World-Herald Square 14th and Dodge Omaha, NE 68102	(402) 444-1000 FAX: 345-0183 24-hour (news desk) 444-1304
Associated Press (Wire Service) 926 P Street Lincoln, NE 68505	(402) 476-2525 Omaha Office: 1-800-642-9920

Iowa Print Media

The Daily Nonpareil 117 Pearl Street Council Bluffs, IA 51503	1-800-283-1882 # 3 (712) 328-1811 FAX: 328-1882
The Opinion-Tribune 116 S. Walnut Street Glenwood, IA 51534	(712) 527-3191 FAX: 527-3193
Malvern Leader 301 Main Street Malvern, IA 51551	(712) 624-8512

APPENDIX G

RIVER CONDITIONS, AIR, AND OTHER SUPPORT

Missouri River Conditions

U.S. Army Corps of Engineers,
Omaha, Nebraska
(402) 697-2675 (business hours)
(402) 697-2539 (24-hour)

National Weather Service
402) 359-4381 or 1-800-452-9074

Public Air Support:

Iowa Highway Patrol
Division of Communications
(515) 323-4360

Nebraska State Patrol Dispatcher
(402) 471-4545

Iowa Department of Transportation
Area Maintenance Manager
Office: (712) 366-4642
Residence: (712) 644-3112
Cellular: (712) 520-0050

Civil Air Patrol
Primary: (402) 489-5858 (residence)
(402) 441-6749 or 441-7180 (office)
(402) 432-1521 Cellular
Secondary: (402) 423-1098 (residence)
(402) 437-4737 (office)

Airports

Runways (distances in feet)

Eppley Airfield (Omaha Airport Authority)
(402) 422-6800

North Omaha Airport
(402) 571-7585

Eagle Field (Blair Airport Authority)
(402) 493-1538

Millard Airport (Douglas Co.)
(402) 422-6800

Plattsmouth Airport
(402) 298-8187

Brown's Airport (Weeping Water)
(402) 267-6465

Council Bluffs Municipal Airport

Two runways 2,480 by 40, 1,200 by 150
attended dawn to dusk.

Two runways 3,100 by 50 and 1,300 by 75',
not attended.

One runway 3,800 by 75, attended 0600-2200
hours.

One runway 3,000 by 50, attended during
daylight hours.

Two runways 1,100 by 50, 2,200 by 60', attended
dawn to dusk.

One runway 4,100 by 75, attended during daylight
hours.

APPENDIX H EMERGENCY MANAGEMENT AGENCIES AND LEPCS

Nebraska Emergency Management Agency
(Mobile Communications Center Dispatch)
24-hour (402) 471-7421

Douglas County EMA/LEPC
Civic Center EOC Rm 114
Omaha, NE 68183
(p) (402) 444-5040
(f) (402) 345-2060

Cass County EMA/LEPC
8420 144th St., Suite 200
P.O. Box C
Weeping Water, NE 68463-0195
(p) (402) 267-6765
(f) (402) 267-7945
Email: ccema@aol.com

Sarpy County EMA/LEPC
1210 Golden Gate Dr.
Papillion, NE 68046
(p) (402) 593-2283
(f) (402) 593-2319

Washington County EMA
Michael Dwyer
1440 Pine Tree Court
Arlington, NE 68002
(p) (402) 478-4880
(f) (402) 478-4880

Mills County EMA/LEPC
Mills County Courthouse
418 Sharp Street
Glenwood, IA 51534
(p) (712) 527-3643
(f) (712) 527-4962

Pottawattamie County EMA/LEPC
Courthouse
227 So. 6th Street
Council Bluffs, IA 51501
(p) (712) 328-5777
(f) (712) 328-4843

APPENDIX I
MISSOURI RIVER REFERENCE TABLE

(Data not currently available. Please see Page ii.)

APPENDIX J
MISSOURI RIVER INTAKES IN AND DOWNSTREAM OF THE O/CB SUB-AREA

(Data not currently available. Please see Page ii.)

APPENDIX K
RIVER TRAFFIC AND COMMODITIES

Frequently Shipped Commodities:

Asphalt
Ethylene Glycol
Corn
Ammonium Nitrate (dry form)

APPENDIX L
ENVIRONMENTALLY SENSITIVE AREAS AND
ENDANGERED AND THREATENED SPECIES

(This appendix is designed to provide limited information on the sub-area's ESAs and species and to provide insight into the diversity of habitats and species present along the Platte and Missouri rivers. The extent of damage to natural resources may be dependent on water levels, seasonality, migrations, spawning patterns and other factors best understood by Natural Resource Trustees. For that reason, the appropriate state or federal Natural Resource Trustee should be notified whenever a spill or discharge affects or has the potential to affect a sensitive environmental resource in the sub-area.)

Environmentally Sensitive Areas

Platte River

The Platte River is a key feature of the natural environment and geography for the sub-area. It forms the western boundary of Douglas and Sarpy counties and is the boundary between Sarpy (to the north) and Cass (to the south) counties. The shallow, braided Platte has extensive islands and riparian habitat in its lower reaches, which benefit a number of species, including some threatened or endangered species described later in this appendix. A spill of oil or hazardous substances into the Platte from a highway or pipeline crossing or from another entry point would be extremely difficult to clean up. The Platte also provides significant recreational benefits, as several parks and state recreation areas are located within the sub-area's counties or lie across the river from the sub-area. Among those areas, all of which are under the jurisdiction of the Nebraska Game and Parks Commission [(402) 471-0641], are:

- Two Rivers State Recreational Area (SRA), 964 acres on the northwest edge of Douglas County [(402) 359-5165];
- Eugene T. Mahoney State Park, 574 acres in Saunders County across the Platte River from Sarpy County where Interstate 80 crosses the river [(402) 944-2523];
- Schramm Park SRA & Ak-Sar-Ben Aquarium, 331 acres located on the north bank of the Platte in Sarpy County, 9 miles south of Gretna on Highway 31 [(402) 332-3901];
- Platte River State Park, 418 acres on the south bank of the Platte 3 miles west of Louisville in Cass County [(402) 234-2217];
- Louisville SRA, 192 acres on the north edge of Louisville on Nebraska 50 [(402) 234-6855].

APPENDIX L
ENVIRONMENTALLY SENSITIVE AREAS AND
ENDANGERED AND THREATENED SPECIES

Fontenelle Forest
1111 Bellevue Blvd N.
Bellevue, Nebraska 68005
(402) 731-3140

The Fontenelle Forest Association owns about 1,300 acres of upland hardwood forests, wetlands and riparian areas that border in Bellevue, in Sarpy County. The Forest's property begins approximately 3/4 mile from the Missouri River in what is known as the Gifford Point area of the Missouri River. Wintering bald eagles and migrating peregrine falcons use the forest. The upland forest and associated wetlands are considered to be the best location in the Omaha area for viewing migrating passerine (perching) birds during peak migration periods (April-May and September-October). The floodplain portion of the Forest contains Hidden Lake, which was restored through dredging in 1997, and which connects directly to the Missouri River through a gate. The lake's size varies from approximately 30 to 50 acres with water depth of about 5.5 feet during normal river flows.

Gifford Area
Educational Service Unit No. 3
700 Camp Gifford Road
Bellevue, Nebraska 68005
(402) 292-4100

Located between the Fontenelle Forest and the Missouri River is the Gifford Area, which encompasses two distinct parts--Gifford Point and Gifford Farm. The Gifford Area abuts the Missouri River in Sarpy County along the largest remaining oxbow on the river between Yankton, South Dakota, and St. Louis, Missouri. Nearly 1,300 acres of river bottom forest on Gifford Point owned by the Nebraska Game and Parks are available for nature study and limited hunting for deer and wild turkeys. Educational Service Unit No. 3 leases another 414 acres from the Nebraska Department of Game and Parks. The unit operates a working farm on the property for the purpose of educating school children.

Neale Woods Nature Center
14323 Edith Marie Avenue
Omaha, Nebraska 68112
(402) 453-5615

The 554-acre Neale Woods straddles the line between Douglas and Washington counties. The entire property is owned and managed by the Fontenelle Forest Association. About 250 acres of the area, which lie east of River Road and north of the county line, are represented by wetlands in the Missouri River floodplain.

APPENDIX L
ENVIRONMENTALLY SENSITIVE AREAS AND
ENDANGERED AND THREATENED SPECIES

Boyer Chute National Wildlife Refuge
George Gage
1434 316th Lane
Missouri Valley, IA 51555
(712) 642-4121 (voice) (712) 642-2877 (fax)

The Boyer Chute National Wildlife Refuge is located on the Nebraska side of the Missouri River, extending from approximately River Mile 640.5 to River Mile 632.2. The refuge is projected to expand in three phases that may extend to 2010 or beyond. If acquisition plans are completed as envisioned, the Boyer Chute NWR will eventually begin at approximately River Mile 540.5 and will end at River Mile 532.2. In addition, the expansion will include a narrow band of Missouri River floodplain across the river in Harrison County, Iowa. The over-all refuge would be roughly four times its size in 1998 upon completion of the expansion. Both the Boyer Chute NWR and the DeSoto National Wildlife Refuge areas are under the authority of the U.S. Fish & Wildlife Service, which has responsibility for managing and protecting migratory birds under the Migratory Bird Treaty and for federally endangered and threatened terrestrial and freshwater species under the authority of the endangered species act.

DeSoto National Wildlife Refuge
George Gage
1434 316th Lane
Missouri Valley, IA 51555
(712) 642-4121 (voice) (712) 642-2877 (fax)

DeSoto National Wildlife Refuge is located on both the Nebraska and Iowa sides of the Missouri River along river miles 644 to 641 in Washington County, Nebraska, and Harrison County, Iowa. It encompasses portions of DeSoto Lake, in Iowa. (See description of Boyer Chute NWR for more information on federally managed areas.)

Schilling Wildlife Management Area
P.O. Box 525
Plattsmouth, Nebraska 68048-0525
(402) 296-0041

The 1,500-acre Schilling Wildlife Management Area (WMA) is located on the west bank of the Missouri River, immediately adjacent to and south of the confluence of the Platte and Missouri rivers in Cass County, Nebraska. The property provides bank access to one-half mile of the Platte River and 2 miles of the Missouri and is particularly popular with fishermen. Fourteen rock levees have been constructed to extend into the deepwater channel of the Missouri. Additional fishing is available on a 25-acre lake encompassed by the refuge boundary. During the fall migration, more than 200,000 or more geese and ducks may be present on the area. Approximately 500 additional acres were added along the southern edge of the Schilling WMA in 1997, along with a strip of riparian habitat designated as the Rhoden WMA. The two additions are located east-northeast of Plattsmouth and cover an average width between the city and river of a half mile.

APPENDIX L
ENVIRONMENTALLY SENSITIVE AREAS AND
ENDANGERED AND THREATENED SPECIES

Federally Listed Endangered Species

Habitat and Comments

(This list includes species that might be encountered within the sub-area. Iowa and Nebraska automatically list federally listed species on their respective state lists. Federal and state listings are the same, unless noted otherwise.)

Peregrine falcon

Nesting falcons are likely to occur in the sub-area from March through September. Migrating peregrine falcons may be found in the area in March and April and September and October. They feed extensively on the wing on pigeons and starlings in urban settings, where they may build nests or make use of man-made nest boxes on tall buildings. They also feed heavily on ducks and shorebirds in open wetlands. (This species is not listed for Pottawattamie County, but suitable habitat along the Missouri River and increasing numbers make it likely this species frequents that county.)

Interior least tern (*Sterna antillarum*)

The interior least tern nests on exposed beaches within river channels. The channelization of the Missouri in the sub-area limits its nesting opportunities on that river, but suitable nesting habitat exists on the Platte. Its nesting habits put it at risk of having its eggs and nestlings crushed during recovery efforts on or from riverfront beaches. It feeds by diving into water to capture small fish and crustaceans, making it vulnerable to both poisoning from spilled materials or to becoming oiled, which would prevent it from flying or possibly cause its death from starvation or hypothermia. This tern may occur within the sub-area from May through August.

Pallid Sturgeon

The pallid sturgeon is a bottom-feeding fish of larger flowing water bodies. It is found in both the Missouri and lower reaches of the Platte River in the sub-area. During the spring, the pallid sturgeon may occur from the mouth of the Elkhorn River to the mouth of the Platte. The University of Nebraska began a study of the fish in the lower Platte River in the spring of 1998.

Western Prairie Fringed Orchid

The Western prairie fringed orchid is a plant found in undisturbed tall grass prairie. It has been reported from Mills and Pottawattamie counties.

APPENDIX L
ENVIRONMENTALLY SENSITIVE AREAS AND
ENDANGERED AND THREATENED SPECIES

Federally Threatened Species

Bald eagle (*Haliaeetus leucocephalus*)

The status of the bald eagle has been upgraded (Nebraska lists as endangered) from endangered to threatened as the recovery of the species has progressed. Migrant and wintering bald eagles are common along the Missouri River in the sub-area. Because they feed on fish and frequently take stricken waterfowl, they are extremely susceptible to secondary poisoning, either from acute exposures to extremely hazardous substances or chronic exposures to other contaminants. Wintering bald eagles may occur within the sub-area from November 1 to April 1.

Piping plover (*Charadrius melodus*)

The piping plover nests in habitat similar to that of the interior least tern and thus would be vulnerable to incursions onto Platte River beaches and sand bars during the nesting season. It feeds on insects, crustaceans, and mollusks along the water's edge, making it vulnerable to coming into contact with spilled oil or hazardous substances that reach the shore. This plover may occur within the sub-area from May through August.

Federal Candidate Species

Eastern Massasauga Rattlesnake (*Sistrurus catenatus*)

The eastern massasauga is a small rattlesnake that prefers wetland areas. It has been proposed for federal listing under the Endangered Species Act (ESA).

Sturgeon Chub

The sturgeon chub has been reported from Sarpy and Washington counties in Nebraska. It could be found in the lower Platte, the Lower Elkhorn and the Missouri rivers. It reaches a maximum length of three inches. It has been proposed for federal listing under the ESA.

Sicklefin Chub

The sicklefin chub has been reported from Cass and Washington counties in Nebraska. It can occur in the lower Platte, the Lower Elkhorn and in the Missouri rivers. It reaches a maximum length of two inches. It has been proposed for listing under the Endangered Species Act.

APPENDIX L
ENVIRONMENTALLY SENSITIVE AREAS AND
ENDANGERED AND THREATENED SPECIES

Nebraska Listed Species for Sub-area:

Endangered

River Otter

The river otter has been reintroduced into the Platte River upstream of the sub-area by the Nebraska Game and Parks Commission and it has moved downstream to where it has been reported in the sub-area. The otter feeds almost exclusively on live prey captured in or near the water. It would be susceptible to contaminants on its fur, to contaminants ingested while cleaning itself, and to contaminants ingested while feeding.

Threatened

Southern Flying Squirrel

The southern flying squirrel is a nocturnal animal, which lives in upland forested areas with mature trees. It is a resident of forested areas along the Platte and Missouri, though it is more likely to be found in upland areas than in stream side trees. It spends the day in hollow trees, and as a consequence humans are often unaware of its presence. It is at the western edge of its range in the Omaha area.

Lake Sturgeon

The lake sturgeon is a large bottom-feeding fish that can reach lengths of 7 feet. Its presence in the Upper Missouri has been documented and it is a possible resident of the Missouri and the lower Platte River near its confluence with the Missouri.

APPENDIX L ENVIRONMENTALLY SENSITIVE AREAS AND ENDANGERED AND THREATENED SPECIES

Iowa Listed Species for Mills County

Endangered

Barn Owl (*Tyto alba*)

Habitat and Comments

A medium-sized nocturnal owl that hunts in short-grass prairie. It nests in cavities, often in old barns or other buildings. Also called monkey-faced owl.

Massasauga rattlesnake (*Sistrurus catenatus*)

See federal listing above.

Eared Milkweed (*Asclepias engelmanniana*)

Grows in dry loess bluffs.

Piping Plover (*Charadrius melodus*)

Listed as threatened on federal list; see Page L-3. Nesting in Iowa is currently known only from fly-ash deposit areas adjacent to power plants near Council Bluffs and Sioux City.

Least Tern (*Sterna antillarum*)

Listed as threatened on federal list; see Page L-3.

Whiskbroom Parsley (*Lomatium foeniculatum*)

Threatened

Bobcat (*Lynx rufus*)

A mobile, reclusive primarily nocturnal cat that inhabits a variety of habitats, feeding on birds, rodents, and other prey.

Ornate Box Turtle (*Terrapene ornata*)

A four-to-five-inch-long terrestrial tortoise that is most common on dry western Plains. It may live to be 30 years old.

Southern Bog Lemming (*Synaptomys cooperi*)

A short-tailed rodent that lives in moist low-lying areas and edges of wetlands.

Western prairie fringed orchid
(*Plananthera praeclara*)

The Western prairie fringed orchid is a plant found in undisturbed tallgrass prairie.

Species of Concern

Lance-leaf Scurf-Pea (*Psoraleidium lanceolatum*)

A prairie plant.

Sensitive briar (*Schrankia nuttallii*)

Ottoo Skipper (*Hesperia ottoe*)

A small butterfly of tallgrass prairies.

Dusted Skipper (*Atrytonopsis hianna*)

A small butterfly of grasslands, abandoned fields and woodland clearings.

Sleepy Dusky Wing (*Erynnis brizo*)

APPENDIX L ENVIRONMENTALLY SENSITIVE AREAS AND ENDANGERED AND THREATENED SPECIES

Iowa Listed Species for Pottawattamie County

Endangered	Habitat and Comments
Eared Milkweed (<i>Asclepias engelmanniana</i>)	Grows in dry loess bluffs.
Least Tern (<i>Sterna antillarum</i>)	Listed as threatened on federal list; see Page L-3.
Piping Plover (<i>Charadrius melodus</i>)	Listed as threatened on federal list; see Page L-3. Nesting in Iowa is currently known only from fly-ash deposit areas adjacent to power plants near Council Bluffs and Sioux City.
Plains Pocket Mouse (<i>Perognathus flavescens</i>)	Occurs in areas with sandy or loess soils with grass cover. Though primarily seed eaters, they supplement their diet with insects. This nocturnal burrowing species is most active when it is warm.
Threatened	
Bobcat (<i>Lynx rufus</i>)	A mobile, reclusive primarily nocturnal cat that inhabits a variety of habitats, feeding on birds, rodents, and other prey.
Red Globe-mallow (<i>Sphaeralcea coccinea</i>)	Grows in dry loess bluffs
Western prairie fringed orchid (<i>Plananthera praeclara</i>)	
Western Worm Snake (<i>Carhophis amoenus</i>)	A gray-black to black snake with a bright reddish pink belly. It typically grows no more than a foot long and feeds almost exclusively on earthworms. It is found in wooded areas of loess hills
Species of Concern	
Dusted Skipper (<i>Atrytonopsis hianna</i>)	A small butterfly of grasslands, abandoned fields and woodland clearings.
Lance-leaf Scurf-pea (<i>Psoraleidium lanceolatum</i>)	
Ottoe Skipper (<i>Hesperia ottoe</i>)	A small butterfly of tallgrass prairies.
Pretty Dodder (<i>Cuscuta indecora</i>)	A vining parasitic plant.

**APPENDIX M
OMAHA/COUNCIL BLUFFS SACP
SITE-SPECIFIC SAFETY PLAN EXAMPLE
COVER SHEET**

INCIDENT NAME: _____

DATE: _____ LOCATION: _____

LEAD AGENCY OR AGENCIES: _____

DESIGNATED SITE SAFETY OFFICER: _____

REVISION: _____ BY: _____ DATE: _____ TIME: _____

ATTACHMENTS:

- G OMAHA/COUNCIL BLUFFS SACP SSP COVER SHEET. ***
- G CHECK-IN AND PERSONAL ACCOUNTABILITY SHEET RETURNED.***
- G OMAHA/COUNCIL BLUFFS SACP SAFETY PLAN CHECKLIST. ***
- G SITE SAFETY PLAN FROM EACH ORGANIZATION.***
- G SITE-SPECIFIC WORK PLAN FOR CONTRACTOR/AGENCY.***
- G OMAHA/COUNCIL BLUFFS SACP EMERGENCY PROCEDURES.***
- G MSDS OR HAZARDOUS MATERIAL DATA SHEETS.***
- G INCIDENT MAP WITH WORK ZONE BOUNDARIES**
- G SAFETY BRIEFING RECORD LOG**

*Required before entering site

**SITE SAFETY PLAN
FOR
OMAHA/COUNCIL BLUFFS
SUB-AREA CONTINGENCY PLAN**

General Instructions:

1. The site-specific safety plan is required of private employers of hazardous waste operations workers under the authority of 29 CFR 1910.120. The same requirement for governmental workers is found under the authority of 40 CFR 311. Both regulatory documents specify that eleven categories must be contained in a site-specific safety plan. Each category of the plan must help identify, evaluate, and control, safety and health hazards, and provide for emergency response for hazardous waste operations. This includes organizational structure, personnel training, engineering methods, standard operating procedures, and equipment that will eliminate or reduce both the chemical and physical hazards associated with assigned tasks to be completed by personnel on site.
2. The site safety officer representing the lead agency will initially review the site safety plans of the other responding agencies. The site safety officer will determine whether each site safety plan (SSP) meets all of the legal components as listed on O/CB Check-list, Page L-5. An "NA" shall be placed in the box if not applicable.
3. A copy of the attachments listed with an "*" on the O/CB Cover Sheet, Page L-1, will be attached to each agency plan.
4. All personnel of responding agencies will be documented on the O/CB Personnel Accountability Sheet, Pages L-3 & L-4. One copy will be attached to each agency's safety plan and one copy should be forwarded to the IC or the command group assigned to planning/documentation.
5. General information should be shared with each responding agency as to the following, as conditions dictate:
 - A. SSP briefing identifying the nature of physical and chemical hazards that the responding
 - B. SSP briefing on the tasks to be completed.
 - C. SSP briefing on the site emergency plan.
 - D. SSP briefing on work zones and supervisor on site.
6. The responding agency shall be given an identity within the command structure and told who it shall report to, if that is not pre-determined.
7. When the responding agency departs from the emergency scene, that shall be documented by the proper command function (staging or planning).

PERSONNEL ACCOUNTABILITY SHEET

One copy should be completed by each organization and returned to the IC through the site-safety officer before personnel enter the work area. This form documents the presence of all personnel and their organizational affiliation. This provides the IC with an accurate accounting of everyone onsite for planning and safety purposes.

TOTAL NUMBER OF PERSONNEL ON-SITE (NAMES ON THE BACK)	INITIAL DATE & TIME:	
	UPDATE & TIME:	
	UPDATE & TIME:	

<u>NAME OF ORGANIZATION:</u>	<u>ON-SITE TASK(S):</u>
ON-SITE PROJECT MANAGER: _____	
CONTACT NUMBER: _____	
PAGER: _____	
CELLULAR PHONE: _____	
OFF-SITE PROJECT MANAGER: _____	
CONTACT NUMBER: _____	
FAX NUMBER: _____	

NOTES:

PERSONNEL ACCOUNTABILITY SHEET

[illegible]

**CHECK-LIST
FOR
SITE-SPECIFIC SAFETY PLAN**

This checklist provides the site safety officer (SSO) with a document indicating that all legal requirements for each organization's site-specific safety plan have been identified and met. The SSO should keep a copy of this form for documentation.

ORGANIZATION'S NAME: _____ DATE: _____

REVIEWED BY: _____

- G PROJECT MANAGER AND SITE SAFETY OFFICER IDENTIFIED
- G PERSONNEL ON SITE MATCH WITH SACP ACCOUNTABILITY SHEET
- G PLAN IDENTIFIES SPECIFIC HAZARDS WITH TASKS TO BE PERFORMED
 - G chemical
 - G physical
 - G environmental
- G EMPLOYEE TRAINING REQUIREMENTS ARE LISTED & DOCUMENTED
- G EMPLOYEE MEDICAL SURVEILLANCE MEASURES LISTED
- G PERSONAL PROTECTIVE EQUIPMENT DEFINED FOR JOB ACTIVITY
 - G respiratory protection
 - G chemical clothing
 - G environmental
- G SPILL CONTAINMENT PROCEDURES SPECIFIED
- G CONFINED SPACE ACTIVITY SPECIFIED
- G DECONTAMINATION METHODS/PROCEDURES SPECIFIED
- G PLAN ACCEPTANCE SIGNATURE PAGE COMPLETED BY ALL PERSONNEL

[illegible]

OMAHA/COUNCIL BLUFFS SACP EMERGENCY RESPONSE PROCEDURES

This section documents the site-specific emergency procedures to be communicated to each organization during an incident. This section may change as the incident develops or changes.

A. EMERGENCY SIGNAL PROCEDURES:

1. Hand Signals:

__ THUMBS UP: I'm OK / I agree.

__ THUMBS DOWN: don't agree.

__ HANDS ACROSS THROAT: out of air / trouble breathing

__ GRAB HAND/ARM: come with me

__ HANDS ON HEAD: I need assistance

__ Repeated short blasts from a hand held fog horn shall be used to indicate a fire emergency.

2. On-site Emergency and/Or Evacuation Notification will be by the following method: _____

B. EMERGENCY MEDICAL PROCEDURES:

Contact designated EMT (posted organization/work plan).

Do not attempt to move seriously injured personnel; call for an ambulance to assist the injured person.

The closest hospital for regular emergencies is:

(see communications section for phone number)

The closest hospital for chemical exposure emergencies is:

(see communications section for phone number)

Contact ATSDR (404) 639-0615 (24 hr)

**OMAHA/COUNCIL BLUFFS SACP
EMERGENCY RESPONSE PROCEDURES**

C. EVACUATION ROUTES:

Primary Evacuation Route:

Secondary Evacuation Route:

Primary Assembly Point:

Secondary Assembly Point:

AN INCIDENT MAP
WITH THE WORK ZONES
WOULD GO

HERE

RESPONDING ORGANIZATIONS'

SITE-SPECIFIC SAFETY PLANS

WOULD BE PLACED

HERE

SAFETY BRIEFING RECORD LOG		
GENERAL INFORMATION		
SITE NAME:		
SITE LOCATION:		
DATE:	TIME:	WEATHER:
DAILY PLANNED ACTIVITIES:		
SAFETY TOPICS REVIEWED:		
CHEMICAL HAZARDS:		
PHYSICAL HAZARDS:		
SITE-SPECIFIC LESSONS LEARNED:		
REVIEW OF PREVIOUS MONITORING INFORMATION:		
REVIEW OF PPE REQUIREMENTS:		
REVIEW SPECIAL EQUIPMENT NEEDS/PROCEDURES:		
REVIEW EMERGENCY PROCEDURES:		
OTHER SAFETY ISSUES:		
TEAM MEMBERS COMMENTS/OBSERVATIONS/SUGGESTIONS: (use back)		

SAFETY BRIEFING RECORD LOG (CONTINUED)

General Safety Checklist

- | |
|--|
| <p>1. ____ Emergency Information Reviewed? 2. ____ All Team Members Familiar?</p> <p>3. ____ Route to Nearest Hospital Known By All Team Members?</p> <p>4. ____ Site-Safety Plan Reviewed By All Team Members?</p> |
|--|

ATTENDEES

NAME(printed)	NAME(signature)	DATE	REPRESENTING(agency)
Meeting Conducted by:			

MATERIALS SAFETY

DATA SHEET(S)

WOULD BE PLACED

HERE

APPENDIX N
MEMORANDUM OF UNDERSTANDING BETWEEN THE
U.S. ENVIRONMENTAL PROTECTION AGENCY REGIONS 5, 6, & 7
EMERGENCY RESPONSE PROGRAMS

REGION 5
77 West Jackson
Chicago, Illinois 60604

REGION 6
1445 Ross Avenue
Dallas, Texas 75202

REGION 7
901 North 5th Street
Kansas City, Kansas 66101

I. PURPOSE

The purpose of this Memorandum of Understanding (MOU) is to establish procedures for a general working agreement between Region 5, 6, & 7 Emergency Response Programs to provide for an interregional backup system which can assist other regions in the event of an emergency response where regions have exhausted their resources and require the assistance of other regions. This MOU can also be used in the event that another region is located closer to a response and quick coverage is needed.

II. BACKGROUND

The Environmental Protection Agency has established a National Baseline Core Emergency Response Program (NBCERP). The Core Emergency Response project participants, which included regional removal managers, On-Scene Coordinators (OSCs), members of the OSC Readiness Task Force and EPA Headquarters personnel reviewed critical program elements and set baseline standards for a nationally consistent EPA Emergency Response Program. This is especially critical due to the magnitude of events which may result from a counter terrorism event or other major responses that may severely task regional EPA response resources. These standards were formalized in a memorandum dated November 25, 1998 and signed by Timothy Fields Jr., Assistant Administrator, Office of Solid Waste and Emergency Response. One of the standards mandated the establishment of Regional Backups - "Each Region should have access to a primary and secondary backup Region."

III. AGREEMENT

Regions 5, 6, & 7 agree to establish a system that will meet the abovementioned standard. The following primary and secondary system will be enacted during times of staffing shortfalls:

REGION	PRIMARY	SECONDARY
5	6	7
6	7	5
7	5	6

It is understood that the regions will still have flexibility to seek assistance from other regions for staffing shortfalls. It is also acknowledged that the regions listed above may have other designated primary or secondary backup regions in MOUs separate from this MOU. In the event that a catastrophic event, such as an earthquake, would impact the region and their primary and secondary regions, it is understood that the assistance of a non-contiguous region may be requested.

IV. PROCEDURE

The Regional Removal Manager or the designated "acting" Manager will, by phone, fax, e-mail, or any available emergency means of communications, contact the backup regional counterpart to request assistance

V. 24-HOUR CONTACT NUMBERS

REGION	24 HOUR CONTACT NUMBER	FAX NUMBER
5	312-353-2318	312-353-9176
6	866-372-7745	214-665-7447
7	913-281-0991	913-551-7151

VI. PROGRAMMING, BUDGETING, FUNDING, AND REIMBURSEMENT ARRANGEMENT

This MOU is neither a fiscal nor a funds obligation document. However, generally any endeavor involving contribution of funds will be paid for by the requesting region.

This MOU in no way restricts the regions from participating in similar activities or arrangement with other regions

VII. AUTHORITIES

The Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA).

The Clean Water Act as amended by the Oil Pollution Act of 1990.

VIII. EFFECTIVE DATE

This MOU will be effective upon signature by the parties hereto and shall remain in effect until termination by any party. Any party may terminate this MOU upon 90 days written notice to the other region's Signatory below. Its provisions will be reviewed and this review annotated on an annual basis and this agreement will be amended or supplemented as mutually agreed upon.

IX. OTHER MOUS

This MOU does not supersede the individual MOUs already in place which address crossriver response issues. Any separate MOUs between these regions have been attached to this MOU.

Signed

Date: 1/25/01

William E. Muno
Director, Superfund D Lion, Region 5, USEPA

Signed

Date: 2/8/01

Myron O. Knudson
Director, Superfund Division, Region 6, USEPA

Signed

Date: 1/23/01

Michael J. Sanderson
Director, Superfund Division, Region 7, USEPA

MEMORANDUM OF UNDERSTANDING

CROSS-BOUNDARY EMERGENCY RESPONSE AND REMOVAL SUPPORT REGIONS 5 and 7 U.S. ENVIRONMENTAL PROTECTION AGENCY

The purpose of this memorandum is to establish a mutual aid agreement for cross-regional emergency and removal response activities between U.S. Environmental Protection Agency (EPA) Regions 5 and 7.

I. Authorities

The mutual aid provided under this agreement will enhance the Agency's response to releases of oil, hazardous substances, pollutants, and contaminants; and, which is done pursuant to the authorities vested in EPA under the Clean Water Act, as amended by the Oil Pollution Act of 1990 (OPA) and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) as amended by the Superfund Amendments and Reauthorization Act (SARA) and further defined in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) 40 CFR 300 et. seq. This agreement also encompasses responses which the Regions may undertake pursuant to the Stafford Disaster Relief Act and amendments, and as further defined in the Federal Response Plan.

II. Pre-Designation and Location of OSCs

Pursuant to 40 CFR 300.120(a), each EPA Regional Administrator has predesignated OnScene Coordinators (OSCs) for the Inland Zone. The names of the predesignated OSCs are available through the respective region's duty phone officer or removal manager.

Region 5 predesignated OSCs are presently duty-stationed in the following locations:

- Chicago, Illinois
- Carterville, Illinois
- Grosse Ile, Michigan
- Westlake, Ohio
- Cincinnati, Ohio

Region 7 predesignated OSCs are presently duty-stationed in the following locations:

- St. Louis, Missouri
- Kansas City, Kansas

The distribution of OSCs among these duty-stations facilitates timely response activities on the part of EPA throughout the two Regions. Each OSC is able to perform response activities outside of the proximity of his/her immediate duty-station area, and by virtue of this agreement, across EPA regional boundaries should circumstances warrant such involvement. Examples of such circumstances are described subsequently in this agreement. It is anticipated that Regions 5 and 7 will be able to respond in a more timely fashion along the Mississippi River boundary between our two respective regions with the implementation of this Memorandum of Understanding (MOU). This MOU would not preclude either Region from asking for assistance beyond the flood plain area of the Mississippi and could include tributaries to, or areas apart from the Mississippi River.

III. On-Scene Coordinator Response Activities

Under CERCLA/SARA and OPA, pre-designated OSCs perform emergency and removal response activities where: (a) there is a release or substantial threat of release of hazardous substances; (b) there is a release or substantial threat of release into the environment of any pollutant, or contaminant which may present an imminent and substantial danger to public health or welfare; and (c) there is a discharge or substantial threat of a discharge of oil to the waters or to the adjoining shorelines of waters of the United States. These responses can be determined necessary in response to a variety of situations including but not limited to accidental spills, transportation accidents, facility explosions, dumping, criminal actions, terrorism, hurricanes, earthquakes, floods, or other forms of natural disasters.

Predesignated OSCs can also perform response activities under the direction of other federal agencies, including:

- Stafford Act Federal Disaster Declarations, which would allow EPA to support FEMA performing the Emergency Support Function #10 (ESF - 10) to address hazardous materials
- Counter-Terrorism Responses per Presidential Decision Directive 39 (PDD -39)

IV. Mutual Aid Cross-Regional Response Activities

It is hereby agreed by the signatories that the two EPA regional offices represented in this agreement will upon request endeavor to assist each other in cross-regional response activities. A cross-boundary response can be performed where the closest OSC is from another region, and where the magnitude of the response is such that assistance is warranted. In accordance with 40 CFR300.135(b), the OSC providing a cross-boundary response can serve as the First Federal Official (FFO) on scene. As FFO, the OSC providing the cross-boundary response, shall initiate and carry out all OSC

responsibilities, in consultation with the lead region's predesignated OSC. The FFO would carry out actions until a predesignated OSC, from the lead region arrives on scene, or until the incident no longer warrants a federal response action.

V. Budget and Contracts

The signatory regions recognize the benefits of the OSC in an emergency, utilizing all means possible to conduct a successful response and utilize the available resources to protect human health and the environment. Contract crossovers can be utilized if they are determined to be in the best interest of the Government. It is expected that issues of utilizing contracting mechanisms available to other regions will be evaluated as a result of this MOU and if necessary, specific protocols will be established to expedite response actions.

The lead region is responsible for funding the response action and furnishing, as appropriate, the regional and site-specific accounting and appropriation data to the OSC from the supporting region who is serving as either FFO or OSC representative. When the OSC providing the cross-boundary response is requested by the lead region to assume the role of designated OSC, the lead region shall establish, as necessary, appropriate authority and/or procedures to enable the OSC providing the cross-boundary response to utilize the lead region's contract resources for the duration of their involvement in the incident.

VI. Process for Activating Cross-Regional Support under this Agreement

- Requests for cross-boundary support response to an emergency incident should be made to the phone duty officer. In requesting the support the lead region should specify the type of support required, presence of a FFO, or other such information as deemed appropriate at the time of the response. In implementing this MOU, each Region shall develop and apply procedures, as appropriate, that authorize and provide for the immediate dispatch of an OSC by the duty officer in support of the lead region. The phone duty officers from each respective Region are expected to notify and brief their management concerning actions taken pursuant to the request.
- Requests for site coverage support and/or support during an ESF #10 activation should generally be made during business hours, initiated by the lead Region, and by contact between the respective Removal Managers or their designees. In the event that the Removal Managers are not available and/or the support becomes apparent as an immediate need during non-business hours, the respective duty officers will discuss the request and make the decision. Any procedures needed to implement this provision of the MOU will be included with those required above.

- 24 Hour Contact Numbers are as follows:

Region 5:	312-353-2318 (telephone)	312-353-9176 (fax)
Region 7:	913-281-0991 (telephone)	913-551-7151 (fax)

VII. Effective Date

This agreement will be effective upon signature by all the parties, and shall remain in effect until termination by any of the parties. Any party may terminate this agreement upon 90 days written notice to the other parties. The provisions may be reviewed, amended, or supplemented upon agreement of all the parties.

VIII. Distribution

Final signed copies of this agreement shall be distributed as follows:

Removal Managers, Regions 5 and 7
 OSCs, Regions 5 and 7
 USCG Districts
 USCG - National Pollution Fund Center
 Regional Contracting Officer(s), Regions 5 and 7
 Regional Project Officer(s), Regions 5 and 7
 EPA Headquarters, OSWER/OERR Regional Centers 5 and 7
 Regional Contingency Plan (RCP), Regions 5 and 7

IX. Signatures

Signed

Date: 1/31/01

William E. Muno, Director
 Superfund Division, Region 5, USEPA

Signed

Date: 12/05/01

Michael J. Sanderson, Director
Superfund Division, Region 7, USEPA

CORRECTIONS AND UPDATES FORM

Corrections, updates or suggested additions to the Omaha/Council Bluffs Sub-area Contingency Plan should be provided to the EPA Region 7 Emergency Response and Removals (ER&R) program. Because the OSC responsible for this specific plan will change with the passage of time, changes should be addressed to the address indicated below. If there are questions, the name of the current OSC for the Omaha/Council Bluffs Sub-area can be obtained from the Chief of the ER&R program: (913) 551-7952.

Please complete the following information to effect a change in the sub-area plan:

Page number where change indicated. _____

Section and subsection numbers of the paragraph to be changed: _____

Other description: (e.g., third sentence, in second full paragraph on page:) _____

Corrections or suggested changes:

Mail to: On-Scene Coordinator for Omaha/Council Bluffs Sub-area Contingency Plan
Emergency Response & Removals Program
U.S. Environmental Protection Agency
901 North 5th Street
Kansas City, KS 66101

E-mail to: Kroone.Janice@epa.gov